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MYSORE LEGISLATIVE ASSEMBLY

THIRTY-NINTH DAY.

Thursday, 23rd April 1959.

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at One of the Clock.

MR. DEPUTY SPEAKER (SRI L. H. THIMMA BOVI, B.A.) in the Chair.

MYSORE CO-OPERATIVE SOCIETIES BILL, 1958.

Clauses (contd.)

MR. DEPUTY SPEAKER.—Clause 29. Sri Kenchappa may move his amendment.

*SRI K. KENCHAPPA (Hiriyur).—Sir, I move:

"1. Item (*a*) of sub-clause (1) shall be deleted.

2. For the words 'the State Government ..... whichever is less', at the end of sub-clause (1), the following shall be substituted, namely:—

'The State Government may appoint an officer not below the rank of the seniormost auditor to check and scrutinise the transactions of the Society by maintaining his own separate account and report the financial position of the Society once in a month to the State Government for taking needful action as prescribed in rules'.

3. Sub-clause (2) shall be deleted."

MR. DEPUTY SPEAKER.—Amendment moved:

"1. Item (*a*) of sub-clause (1) shall be deleted.

2. For the words 'the State Government ..... whichever is less', at the end of sub-clause (1), the following shall be substituted namely:—

'The State Government may appoint an officer not below the rank of the senior most auditor to check and scrutinise the transactions of the Society by maintaining his own separate account and report the financial position of the Society once in a month to the State Government for taking needful action as prescribed in rules'.

3. Sub-clause (2) shall be deleted."

SRI K. KENCHAPPA.—By deleting item (*a*) of sub-clause (1) it should not be understood that because the Government is allowed to take partnership in the administration of a Co-operative Society, they have a right to nominate three members or one-third of the total number of members of the committee as contemplated in the last portion of sub-clause (1). My submission is that there is already a provision in the Act enabling the Government to send a person on their behalf in the usual course as in the case of a primary society. There is no sense in telling that because Government purchases some more shares, they should be entitled to send more people, since

*Asterisk indicates that the remarks or speeches have not been revised by the member concerned

(SRI K. KENCHAPPA)

it offends the fundamental principle as accepted in the other clause that a shareholder shall have only one vote. If the Government is allowed to send three persons it offends that clause. In order to avoid this anomaly it is better that the Government accept the proposition that they have a right already to send a nominee on their behalf and since there is already a provision to send one there is no necessity to insist on this item. On the other hand let there be a person of the grade of seniormost auditor who will work along with others in the co-operative society in which the Government have become shareholders so that he might scrutinise accounts every month and send his report and the Government may be enabled to know that the administration of the society is being carried on according to the principles of the society or whether it is against the principles or whether the financial position of the society is sound or otherwise. They can then take action as they deem fit and I appeal to the Government to accept this amendment.

Sri M. C. NARASIMHAN (Kolar Gold Fields).—I fully support the amendment moved by my friend Sri Kenchappa. There are two aspects involved which ought to be taken into account while appreciating this amendment. One is that the State in the name of co-operative movement by contributing to the share capital cannot arrogate to itself the rights which otherwise accrue to it under the Act. How can the State Government here plead that it should be treated on an entirely different footing? After all, as shareholder it is on the same footing as any other primary shareholder. If it is entitled to three votes would it not offend the equality in treatment because everybody should be equal in the eye of law which is an accepted fact in a welfare State. It will be against this principle to have more than one vote. Secondly, the State's policy should be to promote co-operative movement and financially also it must help; but if the Government tries to get more rights than other members of a primary society because it helps financially also, the relationship would be something like a money-lender and a poor person who has taken loans. You say you are prepared to be treated as any other person and at the same time you want more rights. This provision would really amount to interference and will not be of real help for the promotion of a society. There should be minimum of interference of Government in the co-operative movement. No doubt there are certain obvious interferences but they have been removed in the new Bill. This provision is really a thin end of the wedge whereby this interferene will be riveted and will not help for the promotion of co-operative principle of voluntariness. I feel that this amendment should be accepted.

Sri MALI MARIAPPA (Minister for Co-operation).—I am opposing the amendment. I have already stated that it is only an option given to a society either to take the assistance of the State Government or leave it and so this comes into play in cases where actually the society takes some kind of assistance as enumerated from (*a*) to (*d*) in sub-clause (1).

After all the maximum strength of the Government on the Managing Committee would be one-third and I do not know how these members, who are less in number will be in a position to dominate over the decisions and policies of the society. It is only natural that Government, which has an interest in the good working of the society, should have proper representation. The representation is limited. I am therefore not in a position to accept the amendment and I request my Hon'ble friend to withdraw it.

Mr. DEPUTY SPEAKER.—The question is:

"1. Item (*a*) of sub-clause (1) shall be deleted.

2. For the words 'the State Government.....whichever is less', at the end of sub-clause (1), the following shall be substituted namely:—

'The State Government may appoint an officer not below the

rank of the seniormost auditor to check and scrutinise the transactions of the Society by maintaining his own separate account and report the financial position of the Society once in a month to the State Government for taking needful action as prescribed in rules'.

3. Sub-clause (2) shall be deleted."

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 29 stands part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 30.

Sri G. VENKATAI GOWDA (Palaiyam).—I beg to move:

"That sub-clause (2) (*b*) shall be deleted."

Mr. DEPUTY SPEAKER.—Amendment moved:

"That sub-clause (2) (*b*) shall be deleted."

Sri G. VENKATAI GOWDA.—Sir, under sub-clause 2(*a*), the Registrar has powers to extend the committee, after ascertaing the wishes of the General Body, by two years. Again under 2(*b*) he has a right to extend the period by one year if the general body approves such extension. If the general body should oppose the move of extension, there is no provision which would indicate whether the general body's view is to be accepted or not. If the general body expresses itself against extension, the Registrar may extend the period by one year more. Therefore 2(*b*) is unecessary, because on the whole the Registrar can extend the period for a duration of three years and by the time the three years expire, he has to do something to reconstitute the body. My view is that after ascertaining the view of the general body, after the expiration of two years, the Registrar should have power to extend by one more year only and no further. Therefore I submit that 2(*b*) be deleted.

Sri MALI MARIAPPA.—It is not possible to accept the amendment for the simple reason that in the Joint Select Committee this issue was thrashed out and it was felt that four years should be the maximum period for which the Registrar can supersede a society. The Registrar's discretion is only two years and at the third year he is bound to consult the general body and in the fourth year, it is laid down that he must take the opinion of the general body positively. Otherwise he cannot continue to supersede the society in the fourth year. This clause has been inserted keeping in view the consensus of opinion both in the Select Committee and also in this House.

Sri G. VENKATAI GOWDA.—Suppose in the third year the general body expresses its unwillingness?

Sri MALI MARIAPPA.—In the third year the Registrar has to consult the general body and even though the general body expresses itself in favour of continuation, he has a right to continue supersession for the third year but on reaching the fourth year he cannot supersede without the general body's consent.

Mr. DEPUTY SPEAKER.—The question is:

"That sub-clause 2 (*b*) shall be deleted."

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 30 stands part of the Bill."

The motion was adopted.

Clause 30 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 31. The question is:

"That Clause 31 stands part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 32.

Sri K. KENCHAPPA.—I beg to move:

'In sub-clause (1), the words "the crops and other agricultural produce, cattle, fodder for cattle, agricultural or industrial implements or machinery, raw materials for manufacture and" and the word "such" occurring in lines 6-8 shall be deleted.'

Mr. DEPUTY SPEAKER.—The amendment is:

'In sub-clause (1), the words "the crops and other agricultural produce, cattle, fodder for cattle, agricultural or industrial implements or machinery, raw materials for manufacture and" and the word "such" occurring in lines 6-8 shall be deleted.'

Sri K. KENCHAPPA.—Sir, I am extremely sorry to note that under this provision, even the articles absolutely necessary for the living of the agriculturist, are sought to be subjected to attachment. This would run counter to the provisions of the Civil Procedure Code according to which wearing apparel of women, ornaments, household utensils, crops, implements, etc., are not articles on which a charge would be created. Even cattle fodder is not excluded. The intention of my amendment is to spare the essential articles from attachment. It appears that the framers of this clause were bereft of common sense while framing this clause seeking to create a charge on things which are very essential for human beings. Things which are very essential for human beings must not be attached. According to this clause what are the articles which are to be considered as property and on which charges are to be created? According to the usual legal term, charge should be created by some documents so that other persons may know what are the articles which have been charged. Unfortunately, the articles mentioned in this clause are movable properties and so my submission is that since they are very essential for human beings they should not be attached. Even fodder of cattle is not exempted and it is subject to charge in an automatic way. This is not legal and it will not be accepted by courts. Suppose some person has already created a charge on those articles before his transaction with the society. How is that person to know that the charge created by him earlier will become subsidiary to the charge likely to be made by the society? So that person will have the prior right. So I submit that these things must be exempted and they are agricultural produce, cattle for cultivating the land and artisan's tools. If these things are sought to be attached, I do not know what kind of socialism you are working for? This is nothing but exploitation. You may say that he need not have borrowed. This is nothing short of giving unrestricted right to the society.

Sri C. M. ARUMUGHAM (Kolar Gold Fields).—What is the suggestion of the member to recover the amount? Does he say that the loan should not be recovered?

Sri K. KENCHAPPA.—There are other methods by which the amount can be recovered. If I have got lands and other means to pay the amount, then why should the society have the right to attach the ornament on the body of my women and all that? As the clause now stands, there is nothing which prevents the society from attaching these things. So I have moved this amendment.

Sri Y. VEERAPPA (Holenarasipur).—Sir, I support the amendment. According to section 14 (2) of the Agricultural Debtors' Relief Act in a direct money transaction the property of an agriculturist shall not be attached. A member of a co-operative society might have become a defaulter. It is the primary responsibility of the society to see that proper security is obtained from the member before he is given the loan. Unfortunately, according to this clause even the privilege of non-attachment of cattle and fodder is being knocked off. There is substance in the amendment moved by my friend. He wants to afford these facilities to the fodder and

cattle of the agriculturist debtor. So this amendment must be accepted by the House.

Sri M. C. NARASIMHAN.—Sir, I feel that the clause as it stands is extremely dangerous from the point of view of the society itself. All these things like cattle, fodder, etc. are actually capital assets of the person. If they are vested in him there is some possibility of the co-operative society recovering something. Suppose his cattle and fodder are removed. It may not be to the tune of the entire amount outstanding, but the person will be deprived of even his means of livelihood and there will be nothing atterwards for the society to recover. The only course of action for society left would be to send him to jail or to write off the balance. If they are left with the person, there will be at least some chance of the society getting back something. So I support Sri Kenchappa's amendment.

Sri G. VENKATAI GOWDA.—Sir, I fully endorse the view taken by my friend Sri Kenchappa for the simple rerson that the clause offends section 60 of the Civil Procedure Code. The clause reads :

> "Notwithstanding anything contained in any law for the time being in force....."

This is inconsistent with section 60 of the Civil Procedure Code. Any change in that Act can be brought about only by Parliament and it is *ultra vires* of this Legislature to do that. If we seek to create a first charge on the agricultural produce and cattle, that presupposes that the person has got some immovable property also. Without the security of some immovable property he would not be given any loan. Therefore we must first proceed against that immovable property and not against these movable properties. This provision in the clause is not sustainable. So the amendment of my friend is proper and in the interest of justice and fairplay. Hence I support it.

Mr. DEPUTY SPEAKER.—The Minister will reply.

Sri C. J. MUCKANNAPPA (Gubbi).—Sir, I want to speak on the amendment. This is a very important amendment.

Mr. DEPUTY SPEAKER.—I have already called upon the Minister to reply. So you please resume your seat.

Sri C. J. MUCKANNAPPA.—No, no. This is a very important amendment.

Mr. DEPUTY SPEAKER.—You please resume your seat.

Sri C. J. MUCKANNAPPA.—I will sit down, but I want to say that I stood up immediately after Sri Venkatai Gowda finished his speech.

That will take away my privilege. This is an encroachment upon my privilege.

Sri B. RACHIAH (Chamarajanagar) On a point of order. When the Hon'ble Speaker has already called the Minister to reply, is it right on the part of the Hon'ble Member to interrupt ?

Mr. DEPUTY SPEAKER.—Please resume your seat.

Sri C. J. MUCKANNAPPA.—I am answerable to my people. I should have my say.

Sri S. D. KOTHAVALE (Chikodi).—I raise a point of order. The Chair gave a direction. I think it is not open to any Hon'ble Member to deny the order of the Chair and just enter into a heated argument with the Chair. I think this would take away the decorum of the House if he persists in this manner.

Sri MALI MARIAPPA.—I am not accepting this amendment. My Hon'ble friend Sri Kenchappa and Sri Venkatai Gowda know that not in every case there will be landed property available for security. In certain cases or in most of the cases tenants will also apply for loans. Whenever tenants apply for loans, the landed property will not be available by way of security and so in such cases the only security that will be available will be movables of that particular debtor. In such cases for liberal grant of loans, this provision is very necessary. Let us consider the other matter. Supposing there is not this provision. Those people will not get the benefit also and so it is very necessary. After all, what the section contemplates is only a first charge on the movables. That only ensures that

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the debtor will pay the amount in time and promptly and it will be in the interests of good credit and good relationship that there must be this clause and so I am not accepting the amendment suggested by my friend Sri Kenchappa and supported by Sri Venkatai Gowda and others. I would only request Sri Kenchappa to withdraw his amendment.

Sri K. KENCHAPPA.—I press the amendment.

Mr. DEPUTY SPEAKER.—The question is:

'That in sub-clause (1), the words "the crops and other agricultural produce, cattle, fodder for cattle, agricultural or industrial implements or machinery, raw materials for manufacture and" and the word "such" occurring in lines 6-8 shall be deleted.'

The motion was negatived.

Sri C. M. ARUMUGHAM.—I press for a division.

The House divided:

For: 23.

Against: 70.

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 32 stands part of the Bill."

The motion was adopted.

Clause 32 was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 33 stands part of the Bill."

The motion was adopted.

Clause 33 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 34. The amendment standing in the name of Sri Kenchappa in respect of this clause is out of order. If he wants, he can oppose the clause.

Sri K. KENCHAPPA.—I am opposing the clause itself. The reason for opposing the entire clause is that according to this clause, the salary of the employee anywhere, whether in Government service or elsewhere, is sought to be attached and when the person who is employed somewhere agrees to a term that his salary could be attached to the extent that he has agreed, then the employer shall deduct his salary to that extent and the remaining shall be paid to the employee. This is the spirit of the section. I shall read the clause:

"Notwithstanding anything contained in any law for the time being in force, a member of a co-operative society may execute an agreement in favour of the society providing that his employer shall be competent to deduct from the salary or wages payable to him by the employer, such amount as may be specified in the agreement, and to pay the amount so deducted to the society in satisfaction of any debt or other demand owing by the member to the society."

"(2) On the execution of such an agreement the employer shall, if so required by the co-operative society by requisition in writing and so long as such debt or demand or any part of it remains unpaid, make the deduction in accordance with the agreement and pay the amounts so deducted to the society within fourteen days from the date of the deduction."

Well, Sir, according to this clause, supposing for argument's sake, there is an employee whose salary is Rs. 25 p.m. and he agrees to pay Rs. 20 out of Rs. 25, then the employer may deduct that amount and pay the balance to him. But according to Section 62 of the Civil Procedure Code (sub clause 10) salary to an extent of first hundred rupees and one half of the remainder shall not be attached and——there shall be no direction prohibiting the employer to pay the amount to that extent to the Society. Such being the case, Sir, what conscience is there to say

that an employee "if he agrees to get his salary deducted to any extent", to that extent the employer may deduct and the remaining amount may be paid to him. Therefore my submission is that it is rather an unconscionable bargain and it offends the very principle of social justice and it is in furtherance of the spirit of the exploitation. And therefore all these things are against the fundamental principles of the Indian Constitution. Therefore this clause should not be accepted, Sir.

Further, Sir, when there is already a provision in the Civil Procedure Code to the effect that the employee's salary should not be deducted within Rs. 100, if his salary is more than Rs. 100, the first hundred rupees should not be deducted. Such being the case, what conscience is there to retain this clause on the Statute and still say that they are also socialists. There is a proverb in English "Each person to himself, let the devil take his share". This principle applies to this theory. Therefore, Sir, this clause offends the very principle of social justice and socialism. I think my amendment may be accepted.

*Sri M. C. NARASIMHAN.—Sir, I am afraid, this Co-operative Societies legislation is becoming law unto itself against all other laws in the State. Apart from the Civil Procedure Code referred to by my friend Sri Kenchappa, it is opposed to the Minimum Wages Act. Section 7 of the Minimum Wages Act lays down that only a certain percentage of salary of an employee can be deducted. The Act further provides a safeguard that "no person can opt out or contravene the provisions of this clause." In fact, this particular safeguard was introduced because the employees as against the employers are generally in a weak position and they may be persuaded to execute an agreement. If this section were to be enacted into law, it would mean undoing whatever social legislation that is there in the country. Lastly Sir, the Payment of Minimum Wages Act is administered by the Central Government as well as the State Government. The exemption referred to in the section "...mines and oil fields", they alone do not cover all the employments managed by the Central Government. There are some more employments which are managed by the Government for which the Central Government is the sole authority so far as the payment is concerned. I am afraid, Sir, that this clause transgresses the field prescribed for the Central Government. So, in this regard, my view is that this section should not be passed, Sir. I oppose it.

Sri Y. VEERAPPA.—Sir, the Civil Procedure Code and the Act of Contract contemplate that the salary of an employee whose salary does not exceed hundred rupees should not be attached. That being the case, Sir, without expressing as to how this amount due to a particulr co-operative society is deducted from the employer—to say that a debtor of a co-operative society can execute an agreement to the employer of the co-operative society involving his employer, this offends the very provisions of the Act of Contract. Therefore the words that are embodied there are quite clumsy and opposed to the law of the land.

Further regarding the recovery of the debt from an employee, the co-operative societies should assess whether the debtor or the employee has got proper source to repay the amount borrowed by him. Without assuring the recovery of the amount that is advanced to an individual, to pass a legislation in this style, I think, if I am permitted to say, ridiculous, Sir. Therefore my submission is that this clause as a whole is to be deleted.

*ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಗುಬ್ಬಿ).—ಈ ವಿಧಿಯನ್ನು ತೆಗೆದುಹಾಕಿಬಿಡಬೇಕೆಂದಿರುವ ಸೂಚನೆಯನ್ನು ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಕಾರಣ ಇಷ್ಟೆ. ಈಗ ನೀವು ನಿತ್ಯ ಏನು ಹೇಳುತ್ತಿದ್ದೀರಿ? ಇದು ಬಡವರ ರಾಜ್ಯ; ಬಡವರಿಗೆ ಅನುಕೂಲವಾಗಬೇಕು; ಶ್ರೀಮಂತರ ಕೈಯಿಂದ ಬಡವರನ್ನು ಬಿಡಿಸಬೇಕು ಎಂದು ಹೇಳಿ Pawn Broker ಗಳ ಮುಸೂದೆಯನ್ನು ಜಾರಿಗೆ ತರುವ ವಿಷಯವನ್ನು ಪ್ರಸ್ತಾಪಿಸಿರುವುದನ್ನು ನಿನ್ನೆ ನಾನು ಒಂದು ಪತ್ರಿಕೆಯಲ್ಲಿ ಓದುತ್ತಿದ್ದೆ. ಆ ಪಾರ್ಟಿ ಬ್ರೋಕರುಗಳಿಗೂ ನಿಮಗೂ ಏನು ವ್ಯತ್ಯಾಸವಿದೆ!! ಏಕೆಂದರೆ ಅವರು 37 ಶೇಕಡ ಬಡ್ಡಿ ತೆಗೆದುಕೊಂಡರೆ ನೀವು 40 ಶೇಕಡ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿದ್ದೀರಿ. ಒಬ್ಬನು ತನ್ನ ಸಂಬಳದಲ್ಲಿ ಹಿಡಿದುಕೊಳ್ಳಿ ಎಂದು ಒಪ್ಪಿಕೊಂಡಾಕ್ಷಣ ನೀವು ಈ ರೀತಿ ಮಾಡಿಬಿಡಬಹು

(ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ)

ದೆನ್ನುತ್ತೀರಾ ! ಎಷ್ಟು ಉದಾರವಾದ ಸರ್ಕಾರ ! ಸೋಷಿಯಲಿಸ್ಟ್ ದಾರಿಗೆ ಜನರನ್ನು ತರುತ್ತೇವೆಂದು ಹೇಳುವ ಸರ್ಕಾರ, ಸಾಲದವರ ಹಿಡಿತದಿಂದ ಬಿಡಿಸುತ್ತೇವೆಂದು ಹೇಳುವ ಸರ್ಕಾರ, ಆ ದಾರಿಯಲ್ಲಿ ಎಷ್ಟುದೂರ ಹೋಗಿದ್ದೀರಿ ಎಂದರೆ, ಒಬ್ಬನಿಗೆ 25 ರೂಪಾಯಿ ಸಂಬಳ ಬಂದರೆ 25 ರೂಪಾಯಿಯನ್ನೂ ಹಿಡಿದುಕೊಳ್ಳಬಹುದೆಂದು ಮಾಡಿದ್ದೀರಲ್ಲ. ಅವನ ಗತಿ ಏನಾಗಬೇಕೆಂಬುದೇ ಅರ್ಥವಾಗುತ್ತಿಲ್ಲ. ಅವನ ಹೆಂಡತಿ ಮಕ್ಕಳನ್ನು ಎಲ್ಲಿಗೆ ಕಳುಹಿಸುತ್ತೀರಿ ? ಅವನು ಅಮೇಲೆ ನಿಮ್ಮಂಥವರು ಯಾರಾದರೂ ಉದ್ದನೇ ಕೋಟಿನವರನ್ನು ಹಿಡಿದು Pick pocket ಮಾಡಬೇಕು ಆಷ್ಟೆ. ಕಳ್ಳತನ ಕಲಿ, ಸುಳ್ಳು ಹೇಳುವುದನ್ನು ಮೋಸಮಾಡುವುದನ್ನು ಕಲಿ ಎಂದು ನೀವೇ ಅವನಿಗೆ ಹೇಳಿಕೊಟ್ಟ ಹಾಗಾಗುತ್ತೆದೆ. ಏಕೆಂದರೆ ಈ ಬಿಲ್ಲನ್ನು ಪೈಲಟ್ ಮಾಡುತ್ತಿದ್ದಾರಲ್ಲಾ ಅವರೇ ಅನೇಕಸಾರಿ ಬಡವರಿಗಾಗಿ ವಾದ ಮಾಡಿದ್ದಾರೆ. ಅವರ ಸಂಬಳವನ್ನು attach ಮಾಡುವುದರಿಂದ ಎಷ್ಟು hardship ಆಗುತ್ತದೆಂದು ಅವರಿಗೆ ಗೊತ್ತಿದೆ, ಅಂಥವರು ಇಂದು ಬಡವರಿಗೆ ಯಾವರೀತಿ relief ಕೊಡಬೇಕೆಂಬುದನ್ನು ಆಲೋಚನೆ ಮಾಡಿದ್ದೀರಾ ? ಇಲ್ಲಿ ನುಮ್ಮನೆ prestigeಗಾಗಿ, ಪಾರ್ಟಿ prestige ಗಾಗಿ ಈ ರೀತಿ ಹೇಳುತ್ತಿದ್ದೀರೆಂದು ನನಗೆ ಗೊತ್ತು, ದೇಶದಲ್ಲಿ ತಮಗೆ ಓಟು ಕೊಟ್ಟಿದ್ದ ಜನರೇ ನಿಮ್ಮನ್ನು ಅಧಿಕಾರದಿಂದ ಕೆಳಗಿಳಿಸಿ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದು ಇಲ್ಲಿರತಕ್ಕ ಅನುಚಿತ ಸೆಕ್ಷನ್ನನ್ನು delete ಮಾಡಬೇಕೆಂದು ಹೇಳುವಕಾಲ ಇವತ್ತಲ್ಲ ನಾಳೆ ಬರಬಹುದು. ನಾನು ನುಮ್ಮನೆ ಟೀಕೆ ಮಾಡಬೇಕೆಂಬ ಉದ್ದೇಶದಿಂದ ಹೇಳುತ್ತಿಲ್ಲ. ನಿಮ್ಮ ಮನನೋಯಿನಬೇಕೆಂದು ಹೇಳುತ್ತಿಲ್ಲ. ನೀವೇ ಯೋಚನೆಮಾಡಿ ; 50 ರೂಪಾಯಿ, 30 ರೂಪಾಯಿ ನಂಬಳ ಬರುವವನು ಸಾಲ ತೆಗೆದುಕೊಂಡರೆ, ಅವನ ನಂಬಳವನ್ನು attach ಮಾಡಬಹುದೆಂದರೆ ಅವನೇನು ಮಾಡುತ್ತಾನೆ.

ಉಪಾಧ್ಯಕ್ಷರು.—ಆದಷ್ಟುಬೇಗನೆ ಮುಗಿಸಿ. ಮೂರು ಘಂಟೆಯೊಳಗೆ ಇದನ್ನು ಮುಗಿಸಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಗಿಲೊಟಿನ್‌ಗೆ ಹಾಕಬೇಕಾಗುತ್ತದೆ.

ಶ್ರೀ ಎಂ. ಸಿ. ನರಸಿಂಹ.—ಗಿಲೋಟಿನ್‌ಗೆ ಏಕೆಹಾಕಬೇಕು ?

ಶ್ರೀ ರೇವಣ್ಣಸಿದ್ದಪ್ಪ (ತಿಪಟೂರು).—ನಿನ್ನೆ ದಿವಸ ಯಾವುದೋ ಒಂದು ನಿರ್ಣಯದ ಚರ್ಚೆಗೇ ಮೂರು ದಿವಸ ತೆಗೆದುಕೊಂಡಿರಿ.

ಉಪಾಧ್ಯಕ್ಷರು.—ಕಾಲದವಿಚಾರ ಹೌಸ್‌ನಲ್ಲೇ ತೀರ್ಮಾನವಾಗಿದೆ. ಈಗಲೂ ಮೂರು ಘಂಟೆಯ ವರೆಗೆ ಕಾಲವಿದೆ. ಆದರೂ ಬೇಗ ಮುಗಿಸಿ.

Sri M. C. NARASIMHAN.—There is no provision for guillotining the clauses so far as the Bills are concerned, Sir.

Mr. DEPUTY SPEAKER.—This has been decided by the House.

Sri C. J. MUCKANNAPPA.—If you restrict the time and if you want me to speak very briefly, then it is very very difficult for me to complete the speech. Anyway I will leave the matter to your discretion. I will try to finish it as soon as possible.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಸ್ವಾಮಿ, ಒಂದು ಸಾರಿ ಮಾಡಿದಂಥ ಕಾಯಿದೆಯನ್ನು ಮತ್ತೊಮ್ಮೆ ಬದಲಾವಣೆಮಾಡಬೇಕಾದರೆ. it is only possible either through an amendment or through a motion moved from the Treasury Bench. You cannot amend it or you cannot revoke it, while we are just discussing. If you restrict the time and want me to speak very briefly, it is rather very difficult for me to speak. Anyway I will leave the matter to your discretion. I shall try to finish it as soon as possible.

ಆದ್ದರಿಂದಲೇ ನಾನೀಗ ತಮಗೆ ಹೇಳುತ್ತಿದ್ದೇನೆ. ಸಣ್ಣ ಪುಟ್ಟ ನೌಕರರ ಮನಸ್ಸಿನ ಮೇಲೆ ಇದು ಏನು ಪರಿಣಾಮವನ್ನುಂಟು ಮಾಡುತ್ತದೆಂಬುದನ್ನು ಯೋಚನೆಮಾಡಿ. ಈಗ ಈ ಅರ್ಥಾರಾ ಕಚೇರಿಯಲ್ಲಿಯೇ ಒಂದು ನೌಕರರ ಕೋ-ಆಪರೇಟಿವ್ ಸಂಘವಿದೆ. 25 ರೂಪಾಯಿ ಸಂಬಳ ಬರುವವರು ಬಹಳ ಜನ ಅದರಲ್ಲಿ ಸಾಲ ತೆಗೆದು ಕೊಂಡಿದ್ದಾರೆ.

ಉಪಾಧ್ಯಕ್ಷರು.—ರಿಪೀಟ್ ಮಾಡಬೇಡಿ. ಹೇಳಿದ್ದನ್ನೇ ಹೇಳುತ್ತಿದ್ದೀರಿ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಯಾವ ಸ್ಕೂಲಿನಲ್ಲಿ ಭಾಷಣಮಾಡಲು ಕಲಿತುಕೊಂಡು ಬರಬೇಕು ? I am putting the matter emphatically how it creates hardship.

ಉಪಾಧ್ಯಕ್ಷರು.—ಚೇಂಜಸ್ ಮೇಲೆ ಮಾತನಾಡಬೇಕು. ರಿಪೀಟ್ ಮಾಡಬೇಡಿ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ತಿಥಿಮಂತ್ರ ಹೇಳುತ್ತಿದ್ದೇನೆಯೇ, ಮದುವೆ ಮನೆಯಲ್ಲಿ ಮಂತ್ರ ಹೇಳುತ್ತಿದ್ದೇನೆಯೇ ! I am explaining how this section is going to create hardship to low paid employees. ಆದನ್ನು ಹೇಳಬೇಡಿ ಎಂದರೆ ಅಲ್ಲಿಗೆ ನಿಲ್ಲಿಸಿ ಬಿಡುತ್ತೇನೆ. ಚೈರ್‌ಜರಿ ಬೆಂಚಿನ ವರಿಗೆ ಅಪೀಲು ಮಾಡುತ್ತೇನೆ. ಅವರು ಉದಾರ ಮನಸ್ಸು ಮಾಡಬೇಕು. ಇಪ್ಪೊತ್ತಿನದಿವಸ ಒಂದು ವಿಷಯ ಹೇಳುತ್ತೇನೆ. ಲಕ್ಷಾಂತರ ರೂಪಾಯಿಗಳನ್ನು ಸಾಲಕೊಡುವವರ ಆಸ್ತಿಯನ್ನು ಅಟಾಚ್ ಮಾಡುವುದಕ್ಕೆ ನಿಮಗೆ ಧೈರ್ಯ ಸಾಲದು. ಲಕ್ಷಾಂತರ ರೂಪಾಯಿಗಳ ಸೇಲ್ಸ್ ಟ್ಯಾಕ್ಸ್ ವಸೂಲು ಮಾಡುವುದಕ್ಕೆ ನಿಮಗೆ ಶಕ್ತಿ ಸಾಲದು. ಕೋ-ಆಪರೇಟಿವ್ ಕಾಮನ್‌ವೆಲ್ತ್ ಎಂದು ದೊಡ್ಡ ದೊಡ್ಡ ಪದಗಳ ಸರಣಿಯಲ್ಲಿ ಜನಗಳನ್ನು ಮುಳುಗಿಸುವುದಕ್ಕೆ ಹೋಗಿದ್ದೀರಿ. ಇದರಿಂದ ದುಷ್ಪರಿಣಾಮವಾಗುತ್ತದೆ. ಸಹಕಾರ ಸಂಘಗಳೆಂದು ಹೇಳುತ್ತೀರಿ. The very object of forming the co-operative department will be defeated if you go on putting such clauses and create confusion in the minds of the people. ನಿಮ್ಮಸೊಸೈಟಿ ಸಾಕು ಸಹಕಾರ ಸಂಘಗಳು ಬೇಡ. ನಾವು ಪಾನ್ ಬ್ರೋಕರ್ಸ್‌ಗೆ ಹೋಗುತ್ತೇವೆ ಎಂದು ಜನ ಹೇಳುತ್ತಾರೆ. ನಿಮ್ಮ ಸೊಸೈಟಿ ಕೆಲಸಮಾಡಲು ಶಕ್ಯ ಇಲ್ಲ. ಸಣ್ಣಪುಟ್ಟ ನೌಕರರ ಮೇಲೆ ದುಷ್ಪರಿಣಾಮವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ದುಷ್ಪರಿಣಾಮಕ್ಕೆ ಎಡೆ ಕೊಡದೆ ಮಾನ್ಯ

ಮಂತ್ರಿಗಳು ಆ ಸೆಕ್ಷನ್ ಬಿಟ್ಟುಬಿಡಬೇಕು. ಮಂತ್ರಿಗಳು ಒಬ್ಬರೇ ಅಲ್ಲ. The entire Cabinet must make up its mind to drop this section. ಈ ಬಿಲ್ಲು ಬ್ಯೆರಾ ಮಾಡಿರುವುದು ಬಡವರಿಗೋಸ್ಕರ. ತಮ್ಮನ್ನು ತುಮಕೂರು ಗಾಂಧಿ ಎಂದು ಹೇಳಿದರು. ಆದ್ದರಿಂದ ತಾವು ದೊಡ್ಡ ಮನಸ್ಸುಮಾಡಿ ಶ್ರೀ ಕೆಂಚಪ್ಪನವರು ತಂದಿರತಕ್ಕ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿ ಕೊಳ್ಳದೆ ಹೋದರೆ, ಈ ಸೆಕ್ಷನ್ನನ್ನು ಇದರಿಂದ ಬಿಟ್ಟು ಬಿಡುವುದಕ್ಕೆ ಒಪ್ಪಿಕೊಳ್ಳಿ. ಚಿತ್ರದುರ್ಗದ ಎಕ್ಸ್ ಗಾಂಧಿಯವರು ಒಪ್ಪಿಕೊಳ್ಳಿ. ಅದರಿಂದ ಸರ್ವೇ ಸಾಮಾನ್ಯವಾದ ಸಣ್ಣ ಕೆಲಸ ಮಾಡುವವರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಇದನ್ನು ಅಡಕ ಮಾಡಿರುವುದು ಒಳ್ಳೆಯದಲ್ಲ. ಸರ್ಕಾರಕ್ಕೆ ಇಂಥ ಕಠಿಣ ಹೃದಯ ಇರಬಾರದು ಎಂದುಹೇಳಿ ವಿನಯದಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ಇದನ್ನು ಒಪ್ಪುವುದು ಬಿಡುವುದು ನಭೆಗೆ ಸೇರಿದೆ ಎಂದು ಹೇಳುತ್ತೇನೆ.

Sri MALI MARIAPPA.—Sir, if this provision of the law is read carefully, there is no extraordinary difficulty placed upon any bargain. Such of those small-salary earners, if they want liberalise dcredit, may agree to subject the mselves to it. If they are not in need of any such credit, they are free not to ask for any loan. Now, let us consider the other aspect of the case. It may so happen that some of the poor people may require a little liberalised credit. They will not be in a position to get that liberal credit for the simple reason that other laws lay down that if one gets a salary of over Rs. 100 only then there will be deduction and he will be allowed to get loans. Supposing in such cases, co-operative societies make an exception. So, it is in that way this offers very liberalised credit to small salary-earners. So, this provision does not put any kind of extraordinary difficulty upon borrowers. That is one thing. The second thing that my learned friend Sri Kenchappa advanced is that that the whole clause should be deleted. It would not conform itself to the amendment form. In that way also, the present amendment sought for is defective.

Mr. DEPUTY SPEAKER.—That amendment is not before the House.

Sri MALI MARIAPPA.—So far as the other point raised by Sri Venkatai Gowda is concerned, that is, it may offend some of the Central Laws, sub-clause (3) makes an exception.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 34 stands part of the Bill."

The motion was adopted.

Clause 34 was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clauses 35 and 36 stand part of the Bill."

The motion was adopted.

Clauses 35 and 36 were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 37.

Sri K. KENCHAPPA.—I beg to move the amendment:

'For the existing clause, the following clause shall be substituted:

"Notwithstanding anything contained in any statute, or law or bye-law or rules, Co-operative Societies are exempted from payment of the following taxes, duties, and fees:—

(*a*) The taxes payable under the Mysore Agricultural Income Tax Act, 1957 (Mysore Act 22 of 1957).

(*b*) The tax payable under the Mysore Sales Tax Act, 1957 (Mysore Act 25 of 1957).

(*c*) The duties with which any instrument executed by or on behalf of a co-operative society or by an officer, or member thereof and relating to the business of such society or any class of such instruments or in respect of any award or order made under this Act are chargeable under the Mysore Stamp Act, 1957 (Mysore Act 32 of 1957).

(*d*) Fees payable in respect of any document under the Mysore Court Fees and Suits Valuation Act, 1958 (Mysore Act 16 of 1958) or the previous Act.

(*e*) Any fees payable under the Indian Registration Act, 1908 (Central Act XVI of 1908).

(*f*) Any fees payble under any Act, or rules, orders or notification for obtaining encumbrance

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certificate or other copies required by a society from any of the office of the State Government.

(*g*) Fees recoverable for inspecting the records and allowing the recognised employees of a society to inspect them.

2. Any officer of the State shall be bound to supply copies of documents with the Government such as encumbrance certificates, copies of registers, etc., asked for by the Co-operative Society on top priority basis''.'

Mr. DEPUTY SPEAKER.—Amendment moved:

'For the existing clause, the following clause shall be substituted:

"Notwithstanding anything contained in any statute, or law or bye-law or rules, Co-operative Societies are exempted from payment of the following taxes, duties, and fees:—

(*a*) The taxes payable under the Mysore Agricultural Income Tax Act, 1957 (Mysore Act 22 of 1957).

(*b*) The tax payable under the Mysore Sales Tax Act, 1957 (Mysore Act 25 of 1957).

(*c*) The duties with which any instrument executed by or on behalf of a co-operative society or by an officer, or member thereof and relating to the business of such society or any class of such instruments or in respect of any award or order made under this Act are chargeable under the Mysore Stamp Act, 1957 (Mysore Act 32 of 1957).

(*d*) Fees payable in respect of any document under the Mysore Court Fees and Suits Valuation Act, 1958 (Mysore Act 16 of 1958) or the previous Act.

(*e*) Any fees payable under the Indian Registration Act, 1908 (Central Act XVI of 1908).

(*f*) Any fees payable under any Act, or notification for obtaining encumbrance certificate or other copies required by a society from any of the office of the State Government.

(*g*) Fees recoverable for inspecting the records and allowing the recognised employees of a society to inspect them.

2. Any officer of the State shall be bound to supply copies of documents with the Government such as encumbrance certificates, copies of registers, etc., asked for by the Co-operative, Society on top priority basis."

SRI K. KENCHAPPA.—The intention is: supposing for argument's sake a person who wants to take a loan is expected to supply encumbrance certificate to the society; when he applies for encumbrance certificate to the competent authority, huge amount is demanded as fee. I have seen Government notifications where they have given an indication that encumbrance certificates may be exempted from fees. But as per that notification the exemption was only for one or two years. Afterwards the same old story is repeated. In order to avoid this, I think Government should make a provision enabling the applicant to get encumbrance certificates free of cost. Encumbrance certificate is a necessity according to the bye-laws or rules for securing loans from credit societies. Likewise there are occasions when copies of extracts from the Index Registers, or from Takavi Loan Registers have to be obtained for securing loans from a credit society and the party has to pay searching fee; the societies go to the extent of demanding encumbrance certificates for 25 years and in most of the cases encumbrance certificates will have been obtained for at least 22 years because a person's liability during minority and after he attains majority are also to be taken into consideration while loans are granted. Such being the case it works as a hardship and many feel that it is better to get a loan from a Marwari paying usurious rate of interest than from a credit society. He is forced to spend for obtaining copies which will come to about 500 and odd rupees. Such being

the case it will be helpful if at least these copies are to be furnished free of cost and searching fees not recovered because it is the employee of a Co-operative Societ who is also a Government servant who will have access to the records and prepare a note for submitting it to the credit societies which advance loans. I pray that this august body may accept this amendment.

Sri M. C. NARASIMHAN.—I rise to support this amendment. What the amendment seeks to do is to take away the discretion or the right now vested in the Government. I would invite your attention to clause 130 of the Bill. Clause 130 of the Bill lays down that certain notifications and certain rules issued under this Act are subject to be placed before and discussed by the State Legislature. But the particular notification issued under clause 37 exempts any class of society from payment of these various taxes, namely, Agricultural Income-Tax, Mysore Sales Tax, etc., and these are not subject to being placed before the Legislature. I want to know why this discrimination is made. That is why I say it leads to suspicion in the minds of members as to whether they do not wish to subject this notification also to be discussed by this august House. This is very important because it hinges on the principle involved in a delegated authority. This is where virtually, by enacting this clause as law, we are delegating the authority to Government. Generally it is an accepted fact that whenever an authority is delegated to the Government it is subject to certain reasonable limitations. We must at least know the manner in which that authority exercises its powers. Here it is a completely blank cheque. There is nothing to show as to whether a particular class of society will be exempted from the payment of these taxes or if it is not exempted why not. But this clause does not give even an inkling of the mind of the Government as to the basis on which they are going to exempt. Secondly, while all other notifications are subject to discussion by this House, we would like to know the basis on which the authority is delegated to Government when that is not laid down. I feel that the amendment tabled by Sri Kenchappa should be supported because it makes it very clear that the State Government is not entitled to have a discretion in the matter. We know full well that those exemptions are not being granted here and now and the co-operative movement will advance if those exemptions are given.

Sri G. VENKATAI GOWDA.—Apart from the argument advanced by my friend Sri Narasimhan, I have one or two things to say. If the Government is allowed to exercise the power of exemption in respect of these taxes, I think it would result in political bargain and political patronage. In fact all the societies need the basic necessities of getting exemption from these taxes and my friend's amendment is to include all of them. In order to facilitate the improvement of these institutions, it is imperative that these exemptions should be for all the institutions without any discretion whatever being exercised on the part of Government. I wish the Government would give such exemptions to all the institutions and no discretion should be vested with the Government for the simple reason that it would lead to political patronage and many other complications. Therefore, I support the amendment moved by my friend Sri Kenchappa.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—I rise to support this amendment. ಸರ್ಕಾರ ಯಾವ ದೊಂದು ಕಾನೂನು ಯಾವಾಗ ಮಾಡಿದರೂ ಡಿಸ್ ಕ್ರಿಷನ್ ಪವರ್ ಇಟ್ಟುಕೊಳ್ಳುತ್ತಾರೆ. ಇಂಥ ಕಾನೂನು ತರಬೇಕೆಂದು ಅವರ ಹತ್ತಿರ ಏಕೆ ದರೆ ತವ ಗೆ ಬೆ ಕಾದವನಿಗೆ ಡಿಸ್ ಕ್ರಿಷ್ ತೋರಿಸಬಹುದು; ಬೇಡದವನಿಗೆ ಬಡಿಸಹುದು. ಅವರಿಗೆ ಕೊಡಬಹುದು, ಇವರಿಗೆ ಕೊಡಬಾರದು ಎನ್ನುವುದೇ ಡಿಸ್ ಕ್ರಿಷನ್ ಅನು ವುದು. ಡಿಸ್ ಕ್ರಿಷನರಿ ಪವರ್ ಇರಬಾರದು ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ; ಎಲ್ಲಾ ಕಾನೂನನ್ನೂ ಮಾ ನ ಡೇಟರಿಯಾಗಿ ಇರುವ ಹಾಗೆ ಮಾಡಬೇಕು. ಅದ್ಯಗೋಡೆ ಮೇಲೆ ದೀಪ ಇಟ್ಟ ಹಾಗೆ ಮಾಡಿದರೆ, ಚನ್ನನ ಮನೆಗೆ ಒಂದು ಕೊಡಬಹುದು, ತಿಮ್ಮನ ಮನೆಗೆ ಬಂದು ಕೊಡಬಹುದು. ಮುದ್ದಣ್ಣನಿಗೆ ಬೇಕಾದರೆ ಕೊಡಬಹುದು, ನರಸಿಂಹಂಗೆ ಬಡಬಹುದು. ತಮಗೆ ಇಷ್ಟಾನಿಷ್ಟಗಳಿಗೆ ಹೇಳುವುದಾದರೆ ಶಿವಪ್ಪನವರು ಅನೇಕ ಸೊಸೈಟಿಗಳಿಗೆ ಅಡಿಟ್ ಫೀ ಕೊಡುವುದಕ್ಕೆ

(ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ)

ಸಾಧ್ಯವಾಗುತ್ತಿಲ್ಲವೆಂದು ಹೇಳಿದರು. ಆಡಿಟ್‌ಫೀ ಕೊಡುವುದಕ್ಕೆ ಶಕ್ತಿ ಇಲ್ಲದಿರುವಾಗ ಇವತ್ತಿನದಿವಸ ನೀವು ಬೇಕಾದವರಿಗೆ ಎಗ್ಸೆಂಪ್ಷ್ ಕೊಡಬಹುದು, ಬೇಡದವರಿಗೆ ಕೊಡದಿರಬಹುದು. ಇದರ ಅರ್ಥ ವೇನು? ನೀವು ಕೋ ಆಪರೇಟೀವ್ ಫಾರ್ಮಿಂಗ್ ಮಾಡಬೇಕೆಂದು ಏನು ಉದಾತ್ತವಾದ ಧ್ಯೇಯವನ್ನಿಟ್ಟುಕೊಂಡು ಹೊರಟ್ಟಿದ್ದೀರೋ, ಅದಕ್ಕೆ ನಿಮಗೆ ಸಹಾಯವಾಗುತ್ತದೆ. ಏಕೆಂದರೆ ಯಾರು ನೀವು ಹೇಳಿದ ಮಾತಿಗೆ ಒಪ್ಪಿಗೆ ಕೊಡುತ್ತಾರೋ ಅಂತ ಹವರು ಮಾತ್ರ ನದ್ಯಾವನೆಯಿಂದ ಈ ಕಾನೂನು ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಆಸಕ್ತಿಯುಳ್ಳವರಾಗಿರುತ್ತಾರೆ. ಇನ್ನು ಯಾರು ಹಟಮಾಡುತ್ತಾರೋ ಮತ್ತು ಯಾರು ಕಾನೂನುಗಳನ್ನು ಜಾರಿಗೆ ತರಲು ತಿರಸ್ಕಾರ ಮಾಡುತ್ತಾರೋ ಅಂತಹವರಿಗೆ ಶ್ರೀ ಕೆಂಚಪ್ಪನವರು ತಂದಿರತಕ್ಕ ಸೆಕ್ಷನ್ 37ರ ಪ್ರಕಾರ ಒಂದು ತಿದ್ದುಪಡಿ ನಿಜವಾಗಿ ಯೋಗ್ಯವಾಗಿದೆ. ಇದನ್ನು ಧುರೀಣರ ಕಮಿಟಿಯೊಳಗೆ, ತಜ್ಞರ ಕಮಿಟಿಯೊಳಗೆ, ಪರಿಣತರ ಕಮಿಟಿಯೊಳಗೆ ಮಾಡಿದ್ದಾರೆ, ಇದನ್ನು ಬಹಳ ದೀರ್ಘವಾಗಿ ಯೋಚನೆ ಮಾಡಿ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಮಾಡಿರುವಾಗ ಇನ್ನು ಚರ್ಚೆಮಾಡುವ ಅವಕಾಶವಿಲ್ಲ ಎಂದು ಅಧ್ಯಕ್ಷರು ಹೇಳಿದರು. ಮನುಷ್ಯನ ಸ್ವಭಾವದಲ್ಲಿ ತಪ್ಪುಮಾಡುವುದು ಒಂದು ಸ್ವಾಭಾವಿಕ. ಆದರೆ ಇದೆಲ್ಲವನ್ನೂ ಯೋಚನೆಮಾಡುವಾಗ ನಾಳೆ ಬೆಳಗ್ಗೆ ಏನಾಗಬೇಕು, ಯಾವಯಾವ ತೊಡಕುಗಳನ್ನು ಬಗೆ ಹರಿಸಬೇಕೆಂಬುದನ್ನು ಮನಗಾಣದೆ ಕಮಿಟಿಯವರು ವರದಿಯನ್ನು ನಲ್ಲಿಸಿದ್ದರೂ ಶ್ರೀ ಕೆಂಚಪ್ಪನವರು ಒಬ್ಬನದನ್ಯರಾಗಿ ಸೆಲೆಕ್ಟ್‌ಕಮಿ ಯಲ್ಲಿದ್ದರೂ ಅದರಲ್ಲಿ ರತಕ್ಕ ಲೋಪದೋಷಗಳಿಗೆ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತರುವುದು ಸರಿಯೆಂದು ತಿಳಿದು ಈ ಸಭೆಯಲ್ಲಿ ಮಂಡಿಸಿದ್ದಾರೆ. ಇವತ್ತು ತಪ್ಪುಮಾಡಿ ನಾಳೆ ನಮ್ಮ ಮುಂದೆ ಅದಕ್ಕೆ ಒಂದು ತಿದ್ದುಪಡಿ ತಂದು ಸರಿಮಾಡುತ್ತೇವೆಂದರೆ ಹೇಗೆ? ಇದರಲ್ಲಿ ಇನ್ನೇನು ಅವಾಂತರ ಮಾಡಿದ್ದಾರೋ ನನಗೆ ಗೊತ್ತಿಲ್ಲ. ಇಂತಹ ಎರಡು ಮೂರು ಮುನೂಜೆಗಳು ನಮ್ಮ ಮುಂದೆ ಇನ್ನೂ ಬರುತ್ತಿವೆ. ನರ್ಕಾರದವರು ಒಂದು ವಿಷಯವನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಯಾವಾಗ ಸೊಸೈಟಿಗಳು ಬೆಳೆಯುವುದಕ್ಕೆ ಅವಕಾಶ ವಿಲ್ಲವೋ ಮತ್ತು ಸೊಸೈಟಿ ಲೆಕ್ಕಗಳನ್ನು ತನಿಖೆ ಮಾಡಿದಂಥವರಿಗೆ ಸರಿಯಾಗಿ ಫೀಸನ್ನು ಕೊಡು ವುದಕ್ಕೇ ಶಕ್ಯವಿಲ್ಲವೋ ಅಂಥಾದಕ್ಕೇ ಏನಾಯಿತಿ ಕೊಡುವುದನ್ನು ನಿರಾಕರಿಸುವಾಗ ಇನ್ನು ಎಲ್ಲಾ ದಕ್ಕೂ ಏನಾಯಿತಿ ಕೊಡಿ ಎಂದರೆ ಹೇಗೆ? ಈಗ "All the societies are entitled to have this exemption" ಎಂಬ 130ನೇ ಸೆಕ್ಷನ್ ಈ ಸಭೆಯ ಮುಂದೆ ಬಂದಿದೆ. ಅದು ಚರ್ಚಾಸ್ಪದವಾದ ವಿಷಯ. ಗೋಕುಲಾಷ್ಟಮಿಗೂ, ಇಮಾಮ್ ಸಾಬಗ್ಗೂ, ದನರಾಕ್ಕೂ, ಯುಗಾದಿಗೂ ಏನು ಸಂಬಂಧ? ಹೀಗೆ ಎಲ್ಲಕ್ಕೂ ಎಗ್ಸೆಮ್ಷನ್ ಕೊಟ್ಟರೆ ಹೇಗೆ? ಅದು beating the dead horse ನಂತೆ ಆಗುತ್ತದೆ. ಈಗ ಆ ಬಗ್ಗೆ ಒಂದು ನೋಟಿಫಿಕೇಷನ್ ಕೊಟ್ಟು ಅದನ್ನು ನಮ್ಮ ಮುಂದಿಟ್ಟರೆ ಆ ವಿಷಯ ವನ್ನು ಇಲ್ಲಿ ಚರ್ಚೆಮಾಡಿ ಅದರಿಂದಾಗತಕ್ಕ ಪ್ರಯೋಜನವಾದರೂ ಏನು? ಈಗಾಗಲೇ ಇದಕ್ಕೋಸ್ಕರ ಇನ್ನೊಂದು ಕಾನೂನು ಮಾಡಿ ಕಾನೂನುಗಳ ಕಡತಕ್ಕೆ ಅದನ್ನು ಏರಿಸಬೇಕೆಂದು ದೀರ್ಘವಾಗಿ ಯೋಚನೆ ಮಾಡುತ್ತಿದ್ದೀರಿ. ಈ ಕಾನೂನು ತಜ್ಞರ ಕಮಿಟಿಯಲ್ಲಿ ಹೋಗಿ ಬಂದಾಕ್ಷಣಕ್ಕೆ ಅದರಲ್ಲಿರುವ ತಪ್ಪು ನೆಪ್ಪುಗಳನ್ನು ಮತ್ತು ಲೋಪದೋಷಗಳನ್ನು ಗುಣಮಾಡುವುದರಿಂದ ಏನೂ ತಪ್ಪಾಗುವುದಿಲ್ಲ. ಶ್ರೀ ಕೆಂಚಪ್ಪನವರು ಬಹಳ ಬುದ್ಧಿವಂತಿಕೆಯಿಂದ ಈ ಕಾನೂನು ಪಾಸ್ ಆದಮೇಲೆ ಮುಂದೆ ಜನರಿಗೆ ಇದರಿಂದ ಏನಾದರೂ ತೊಂದರೆಯಾದೀತು ಎಂಬು ದನ್ನು ಮನಗಂಡು ಸಹಕಾರ ನಂಘಗಳ ಬೆಳವಣಿಗೆಗೆ ತೊಂದರೆಯೊಗದೆ ಇರುವ ರೀತಿಯಲ್ಲಿ ಮತ್ತು ಅವುಗಳಿಗೆ ಅಡ್ಡಿ ಆತಂಕಗಳು ಯಾವುಗೂ ಬಾರದೇ ಇರುವ ರೀತಿಯಲ್ಲಿ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿರ ತಕ್ಕದ್ದು ಸಮಯೋಚಿತವಾಗಿದೆ. ಒಂದು ಕಡೆ ನಮ್ಮ ಕಡೆ ಮೆಜಾರಿಟಿ ಇದೆಯೆಂದು ಕಾನೂನು ಪಾಸು ಮಾಡಬಹುದೆಂದು ನಿಮ್ಮ ಗುಂಪಿನಲ್ಲೇ ಎಷ್ಟೋ ಜನ ಹೇಳಿದ್ದಾರೆ. $7\times3=24$ ಎಂದಿಗೂ ಆಗುವುದಿಲ್ಲ. $7\times3=21$ ಎಂಬು ದಾಗಿ ಎಲ್ಲರೂ ಹೇಳುತ್ತಾರೆಯೇ ಹೊರತು ಮತ್ತೇನೂ ಬೇರೆ ರೀತಿ ಹೇಳುವುದಿಲ್ಲ. ಅದಕ್ಕೋಸ್ಕರ ವಾಗಿ ನರ್ಕಾರದವರು ಈ ವಿಚಾರದ ಬಗ್ಗೆ ದೀರ್ಘ ವಾಗಿ ಯೋಚನೆ ಮಾಡಬೇಕು. ಇವತ್ತಿನದಿವಸ ಹೊಸ ಹೊಸದಾಗಿ ಬೇರೆ ಬೇರೆ ಕೋ-ಆಪರೇಟಿವ್ ಸೊಸೈಟಿಗಳನ್ನು ತೆರೆಯುತ್ತಿದ್ದಾರೆ. ನಕ್ಕರೆ ಕಾರ್ಖಾನೆ ಸೊಸೈಟಿ, ಪೆನ್ಸಿಲ್, ಕಾಗದ ಕಾರ್ಖಾನೆ ಗಳ ಸೊಸೈಟಿ, ಚೌರಮಾಡುವ ಬಾರ್ಬರ್ಸ್ ಅಸೋಸಿಯೇಷ್ನ್—ಹೀಗೆ ಎಲ್ಲರೂ ಸೊಸೈಟಿಗಳನ್ನು ಮಾಡುತ್ತಿದ್ದಾರೆ. ಇನ್ನೊಂದು ವಿಷಯ. ಅವರು ಒಂದು ಉದಾತ್ತವಾದ ಧ್ಯೇಯವನ್ನು ಇಟ್ಟುಕೊಂಡು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ಅದರಲ್ಲಿ ಒಂದು ಡಿಸ್ಕ್ರಿಮಿನೇಷ್ನ್ ಪವರ್ ಇಲ್ಲ. ಅದು ಬೇಡವೆಂದು ನಾವು ಹೇಳುವುದು ನರಿಯಲ್ಲ. Suppose an insane man holds the portfolio; if he wants to victimise one of the societies, ಆಗ ಅವನು ಏಂಡಿಕ್ಸಿಪ್ಲಿ ತೊಂದರೆ ಮಾಡುತ್ತಾನೆ. ಆದ್ದರಿಂದ ಈಗಿರತಕ್ಕ ತಿದ್ದು ಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕು. ಆದರೆ ಈಗಿರ ತಕ್ಕ ಮಂತ್ರಿಗಳು ಇರ್ಸೇನ್ ಎಂದು ನಾನು ಹೇಳ ಲಲ್ಲ. ಯಾರು ಬಂದರೂ ಅಧಿಕಾರದ ಅಮಲಿನಲ್ಲಿ ಇವರಿಗೆ ಪವರ್ಸ್ ಕೊಡಬಹುದೇ, ಕೊಡಬೇಡವೇ ಎಂಬುದನ್ನು ನರ್ಕಾರದವರು ದೀರ್ಘವಾಗಿ ಯೋಚನೆಮಾಡಬೇಕು. ಶ್ರೀ ಕೆಂಚಪ್ಪನವರು ತಂದಿರ ತಕ್ಕ ತಿದ್ದುಪಡಿ ನಮಯೋಚಿತವಾಗಿದೆ. ಅದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕು ಮತ್ತು ಜಾಗ್ರತೆ ಅಮಲಿನಲ್ಲಿ ತರಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

Sri MALI MARIAPPA.—Sir, this clause is intended to enable Government to give certain concessions. I wish the members would read the clause carefully. This clause does not enable the Government to enhance, but only either reduce or exempt. In spite of the very helpful nature of the clause, if the Hon'ble Members of the Opposition should speak against it, I really fail to gather any substance in their attitude. I therefore oppose the amendment.

ಪುಸ್ತಕ ಸಂಖ್ಯೆ Accession No.....4289(b)
ದಿನಾಂಕ Date.....

Mr. DEPUTY SPEAKER.—The question is:

'For the existing clause the following clause shall be substituted:

"Notwithstanding anything contained in any statute, or law or bye-law or rules, Co-operative Societies are exempted from payment of the following taxes, duties, and fees:—

(*a*) the taxes payable under the Mysore Agricultural Income Tax Act, 1957 (Mysore Act 22 of 1957).

(*b*) The tax payable under the Mysore Sales Tax Act, 1957 (Mysore Act 25 of 1957).

(*c*) The duties with which any instrument executed by or on behalf of a co-operative society or by an officer, or member thereof and relating to the business of such society or any class of such instruments or in respect of and award or order made under this Act are chargeable under the Mysore Stamp Act, 1957 (Mysore Act 32 of 1957).

(*d*) Fees payable in respect of any document under the Mysore Court Fees and Suits Valuation Act, 1958 (Mysore Act 16 of 1958) or the previous Act.

(*e*) Any fees payable under the Indian Registration Act, 1908 (Central Act XVI of 1908).

(*f*) Any fees payable under any Act, or rules, orders or notification for obtaining encumbrance certificate or other copies required by a society from any office of the State Government.

(*g*) Fees recoverable for inspecting the records and allowing the recognised employees of a society to inspect them.

2. Any officer of the State shall be bound to supply copies of documents with the Government such as encumbrance certificates, copies of registers, etc., asked for by the Co-operative Society on top priority basis".'

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 37 stands part of the Bill."

The motion was adopted.

Clause 37 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clauses 38 to 40. The question is:

"That Clauses 38 to 40 stand part of the Bill."

The motion was adopted.

Clauses 38 to 40 were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 41.

Sri K. KENCHAPPA.—I am not moving my amendment to this clause, Sir.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 41 stands part of the Bill."

The motion was adopted.

Clause 41 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clauses 42 to 45. The question is:

"That Clauses 42 to 45 stand part of the Bill."

The motion was adopted.

Clauses 42 to 45 were added to the Bill.

Mr DEPUTY SPEAKER.—Clause 46.

Sri K. KENCHAPPA.—I am not moving my amendment to this Clause, Sir.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 46 stands part of the Bill."

The motion was adopted.

Clause 46 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clauses 47 to 55. The question is:

"That clauses 47 to 55 stand part of the Bill."

The motion was adopted.

Clauses 47 to 55 were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 56:

Sri G. VENKATAI GOWDA.—I beg to move:

"That the proviso shall be deleted."

Mr. DEPUTY SPEAKER.—Amendment moved:

"That the proviso shall be deleted."

Sri K. S. SOORYANARAYANA RAO (Mysore city).—I beg to move:

'In the proviso, after the words "provided that" the words "with the approval of the Registrar" may be inserted.'

Mr. DEPUTY SPEAKER.—Amendment moved:

'In the proviso, after the words "Provided that" the words "with the approval of the Registrar" may be inserted.'

Sri G. VENKATAI GOWDA.—Sir, this clause seeks to pay remuneration, allowance or honoraria to any member who renders any kind of service. I submit that this would not be conducive to the healthy growth of the co-operative institutions. If this is permitted, I am afraid, the societies would not be in a position to declare dividends at all to Members. Moreover, what kind of service would merit payment of such remuneration is not indicated here and therefore any 'kind of service', say for example, writing out notices, may be taken as 'service'. This looks ridiculous. If we allow this proviso, much mischief would be done which would be detrimental to the development of co-operation. If a person renders meritorious social service, he can become the President of India or receive titles.

This system of giving honorarium will hinder the progress of co-operative institutions. So I submit that this is not a healthy proviso and I request Government to delete it. If honorarium or remuneration is to be paid at all to persons who render some kind of service to a co-operative society then there will be nothing left with the society to declare any dividend to the shareholders. The proviso gives room for framing such a bye-law for payment of honorarium. If the proviso is not there, then no bye-law for the purpose can be inserted for payment of honorarium. Even the amendment of Sri Suryanarayana Rao that it should be done with the approval of the Registrar is not proper. If such a bye-law is allowed to be there, then any person may claim that he has rendered some service and he should he paid honorarium. If any person enters the managing committee, it is to render service and so why should he expect any remuneration? This is a very dangerous principle. Even the Registrar is not in a position to know who has actually rendered service to the society. So the amendment of Sri Suryanarayana Rao also is unnecessary. I request the Minister to agree to the deletion of the proviso itself.

Sri K. S. SURYANARAYANA RAO.—Sir, Sri Venkatai Gowda does not seem to have properly followed my amendment. What I said was that if any payment is to be made at all, it should not be made by the society on its own but it should be made with the previous permission of the Registrar.

Sri G. VENKATAI GOWDA.—The Registrar gives permission automatically.

*Sri K. S. SURYANARAYANA RAO.—It is not that in all cases the Registrar gives permission. He exercises due consideration before giving the permission. He satisfies himself whether it is necessary to pay the honorarium. So there will be some restriction put on the powers of the society. This is a very wholesome amendment and I plead with the House for its acceptance.

Sri M. R. PATIL (Hubli).—Sir, there are part-time and whole-time honorary workers for co-operative societies. If an honorary worker works for the whole day, it is necessary to remunerate him to some extent. In the proviso it is laid down "that such remuneration, allowances of honoraria on such scale as may be laid down by the bye-laws" is to be paid. The bye-laws will be framed only with the permission of the Registrar. The Registrar will not allow any bye-law to

be passed unless he is satisfied that the honorarium laid down is on a proper scale. So my submission is that the proviso is absolutely necessary so that local talents may be attracted to co-operative institutions.

As regards the amendment of Sri K. S. Suryanarayana Rao, it is not necessary. When the Registrar gives his approval for the bye-law, where is the necessity for his approval to the payment of the honorarium which is to be made according to the bye-law approved by him? If it is thought that the bye-law is likely to be misused, then I would like to suggest that instead of merely saying "such remuneration" etc. We may say "annual remuneration" etc. Otherwise, there is no necessity for the amendment of the type suggested by Sri Suryanarayana Rao.

Sri J. B. MALLARADHYA (Nanjangud).—Sir, I am against this proviso being allowed to remain as part of the Bill. Nor am I prepared to support the amendment. It is within my experience of the management of co-operative societies, which is as old as 32 years and as recent as 6 months, that a proviso like this will give room for a lot of mischief. If you want to get work done by paid workers, let the scale of remuneration be fixed and you have any number of people you require. If a man is prepared to work in an honorary capacity, let him not expect any remuneration for service to be rendered. There is no dearth of honorary workers who are prepared to give their best to social institutions, but the moment you introduce the system of remuneration it will give room to a lot of politics and wirepulling, I have worked as Registrar for six years and I know how local influences come up. In view of this it is much better that no remuneration is contemplated. If the work of a society warrants the employment of paid workers, you have any number as is required.

There is another point. In a large majority of societies in the interior, it is very likely that only a certain section of the people will get the chance of being elected and this is a convenient way of getting some remuneration for those people who are without any kind of ostensible means of livelihood. People without any ostensible means of livelihood will volunteer to work as honorary workers and pressure will come on their behalf from influential section of the locality.

2-30 P.M.

Having regard to all these considerations and in the interests of the purity of administration of these co-operative societies, I oppose the continuance of this provision; nor am I prepared to accept the amendment.

Sri M. C. NARASIMHAN.—I want a clarification from Sri A. S. Patil who spoke on this. Reference to the Secretary is all right, but why should members be paid?

Mr. DEPUTY SPEAKER.—There is no amendment by Sri Patil.

Sri M. C. NARASIMHAN.—Why should Sri Patil also hold that every member of the society should be paid an allowance or honorarium?

*ಶ್ರೀ ಬಿ. ಎಲ್. ನಾ ರಾ ಯ ಣ ಸ್ವಾ ಮಿ (ಮುಳಬಾಗಲು).—ಸ್ವಾಮಿ, ಮಾನ್ಯ ಮಿತ್ರರಾದ ವೆಂಕಟೇಗೌಡರ ತಿದ್ದುಪಡಿಯನ್ನು ಸಮರ್ಥಿಸುತ್ತೇನೆ. ಮತ್ತು ಮಾನ್ಯ ಸೂರ್ಯನಾರಾಯಣ ರಾಯರ ತಿದ್ದುಪಡಿಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ, ಈ ಮನೂದಾ ಕಾನೂನಿನಲ್ಲಿರುವ ಪ್ರಕಾರ ನನಗೆ ಒಂದು ಅನುಮಾನವಾಗುತ್ತದೆ. ಸಹಕಾರ ಮನೋಭಾವನೆಗೆ ತಳಹದಿ ನಿಸ್ವಾರ್ಥ ಸೇವಾಮನೋಭಾವ. ದೇಶದಲ್ಲಿ ಸಹಕಾರ ಕ್ಷೇತ್ರಗಳು ಸೇವಾಸಂಸ್ಥೆಗಳಾಗಿ ಹೆಚ್ಚಿನ ಸೇವೆ ಸಲ್ಲಿಸಬೇಕು ಎನ್ನುವ ಕಾಲದಲ್ಲಿ, ಪ್ರಾಯಶಃ ಸರ್ಕಾರದವರಿಗೆ ಅಂಥ ನಿಸ್ವಾರ್ಥ ಸೇವಕರು ಸಿಕ್ಕುವುದಿಲ್ಲವೆಂಬ ಭಾವನೆಯಿಂದ ಈ ರೀತಿಯ ಮನೂದಾಕಾನೂನನ್ನು ತಂದಿದ್ದಾರೆಂದು ಹೇಳಬೇಕಾಗಿದೆ. ದೇಶದಲ್ಲಿ ಬಹಳ ಕಾಲದಿಂದಲೂ ಕೂಡ ಸೇವಾಸಂಸ್ಥೆಗಳೂ, ಸಹಕಾರ ಸಂಘಗಳೂ ನಡೆಯುತ್ತಿವೆ. ಅನೇಕರು ನಿಸ್ವಾರ್ಥ ಸೇವೆಯನ್ನು ಸಲ್ಲಿಸಿರಬಹುದು. ಆಫೀಸ್ ಬೇರರ್ ಎಂದರೆ ಪ್ರೆಸಿಡೆಂಟ್ ಅಥವಾ ಸೆಕ್ರೆಟರಿ ಆದವರು ಸೇವೆ ಸಲ್ಲಿಸುವುದರಿಂದ ಅವರಿಗೆ ಏನಾದರೂ ಗೌರವ ಸಂಭಾವನೆಯನ್ನು ಕೊಡಬಹುದು. ಆದರೆ ಈಗ ಎಲ್ಲ ಸದಸ್ಯರು ಕೂಡ ಇಂಥ ಒಂದು ಗೌರವ ವೇತನವನ್ನು ಪಡೆಯಲು ಅವಕಾಶ ಮಾಡಿಕೊಡತಕ್ಕದ್ದು ಮೂಲ ಉದ್ದೇಶಗಳಿಗೆ ಖಂಡಿತವಾಗಿಯೂ ವಿರೋಧವಾಗಿದೆ. ಇದರಿಂದ ಇಲ್ಲದ ತೊಡಕುಗಳಿಗೆ ಮತ್ತು ರಾಜಕೀಯ ತಲೆ ಹಾಕುವುದಕ್ಕೆ ಕಾರಣವಾಗಿ, ಸೇವಾಸಂಸ್ಥೆಗಳು ಹಾಳಾಗುತ್ತವೆ ಎಂದರೆ ಅತಿಶಯೋಕ್ತಿಯಾಗುವುದಿಲ್ಲ. ಆದಕಾರಣ ನಿಜವಾಗಿಯೂ ಸಹಕಾರ ಸಂಸ್ಥೆಗಳು ಸೇವಾ ಸಂಸ್ಥೆಗಳಾಗಿ ಕಾರ್ಯ ನಡೆಸಲು ಪ್ರತಿಯೊಬ್ಬರೂ ನಿಸ್ವಾರ್ಥವಾಗಿ ಸೇವೆಯನ್ನು ಮಾಡಬೇಕು. ಈ ರೀತಿಯಾದ ಆಸೆ ಆಕಾಂಕ್ಷೆಗಳಿಗೆ ಯಾವ

(ಶ್ರೀ ಬಿ. ಎಸ್. ನಾರಾಯಣಸ್ವಾಮಿ)

ರೀತಿಯಲ್ಲಿಯೂ ಅವಕಾಶ ಕೊಡಬಾರದು. ಈ ದೃಷ್ಟಿಯಿಂದ ಶ್ರೀ ವೆಂಕಟೇಗೌಡರ ತಿದ್ದುಪಡಿಯನ್ನು ಸಮರ್ಥಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಸೂರ್ಯನಾರಾಯಣರಾಯರು ತಂದಿರುವ ತಿದ್ದುಪಡಿಯ ಪ್ರಕಾರ ಕೊಂಚ ಲಗಾಮು ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರ ಕೈಯಲ್ಲಿ ಕೊಡಿ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಕಮಿಟಿಯವರು ಒಂದು ನಿರ್ಣಯಮಾಡಿ ಅದನ್ನ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರಿಗೆ ಕಳುಹಿಸಿ ತಮ್ಮ ಪ್ರಭಾವವನ್ನು ಅವರ ಮೇಲೆ ಬೀರುತ್ತಾರೆ. ಎಷ್ಟೋ ಕಡೆಗಳಿಂದ ಬರುವಂಥ ಈ ನಿರ್ಣಯಗಳಿಗೆ, ಪ್ರಭಾವಕ್ಕೆ ಒಳಗಾಗಿ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಒಪ್ಪಿಗೆಯನ್ನು ಕೊಡಬೇಕಾಗುತ್ತದೆ. ಬೇಡ ಎಂದು ಹೇಳುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಆದಕಾರಣ ಅನುಚಿತವಾದ ಅವಕಾಶವನ್ನು ಕಾನೂನಿನಲ್ಲಿ ಕಲ್ಪಿಸಿ, ಅದರ ದುರುಪಯೋಗವಾಗುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಡಿ. ಈ ತಿದ್ದುಪಡಿಯು ಸೂಕ್ತವಾದುದಲ್ಲಿ ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ದಯವಿಟ್ಟು ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆಂದು ನಂಬಿದ್ದೇನೆ.

ಎಲ್ಲ ಸದಸ್ಯರೂ ಮಾನ್ಯ ವೆಂಕಟೇಗೌಡರ ತಿದ್ದುಪಡಿಗೆ ಬೆಂಬಲಕೊಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣ್ಣ ಸಿದಪ್ಪ.—ಸ್ವಾಮಿ, ಕೊಡುಗೆ ಕೊಡುವ ಪದ್ಧತಿ ತಂದಿರುವುದನ್ನು ನೋಡಿದರೆ ಕೆಲವು ಜನ ಇನ್‌ಸ್ಪೆಕ್ಟರುಗಳು ಈವಾಗ ಏನು ಮಾಡುತ್ತಾರೆಂದರೆ ಒಂದು ಕಡೆಗೆ ಹೋದ ತಕ್ಷಣ ಅಲ್ಲರತಕ್ಕ ಡೈರೆಕ್ಟರುಗಳಲ್ಲಿ ಎರಡು ಪಾರ್ಟಿ ಮಾಡಿ ಮೆಜಾರಿಟಿ ಪಾರ್ಟಿಯನ್ನು ತಮ್ಮ ಕಡೆ ಮಾಡಿಕೊಂಡು, ಕೆಲಸ ಮಾಡುತ್ತಿರುವುದರಿಂದ ಕೆಲವು ಸೊಸೈಟಿಗಳು ಕೆಟ್ಟು ಹೋಗುತ್ತಿವೆ. ಸಾಲದುದಕ್ಕೆ ರಾಜಕೀಯದಲ್ಲಿ ಒಂದು ಕಡೆ ಮೂರು ಪಕ್ಷಗಳು, ಇನ್ನೊಂದುಕಡೆ ಎರಡು ಪಕ್ಷಗಳು, ಹೀಗಾಗಿ ಅವರೂ ಕೂಡ ಊರುಗಳನ್ನು ಡಿವಿಡ್ ಮಾಡಿ ಹಂಚಿಕೊಂಡಿದ್ದಾರೆ. ಇಂಥ ಹಂಚಿಕೆಯಲ್ಲಿ ಪಾಲುಗಾರಿಕೆ ಕೊಡುವುದೆಂದರೆ ಅಷ್ಟು ಸೂಕ್ತವಾಗುವುದಿಲ್ಲ. ಮಾನ್ಯ ಮಿತ್ರರಾದ ಸೂರ್ಯನಾರಾಯಣರಾಯರೂ ಅನೇಕ ಸೊಸೈಟಿಗಳ ಅನುಭವವನ್ನು ಪಡೆದಿದ್ದಾರೆ. ಈಗ ಕೆಲವು ರಾಜಕೀಯ ಮುಖಂಡರು ಕೆಲವು ಸೊಸೈಟಿಗಳನ್ನು ಇಟ್ಟುಕೊಳ್ಳುವುದಕ್ಕೆ ಪ್ರಾರಂಭಮಾಡಿದ್ದಾರೆ. ನಿರುದ್ಯೋಗ ಸಮಸ್ಯೆಯ ನಿವಾರಣೆಗಾಗಿ ಕೆಲವು ಜನ ಸೊಸೈಟಿಗಳನ್ನಿಟ್ಟುಕೊಂಡು ಸ್ವಂತ ಆಸ್ತಿ ಮಾಡಿಕೊಳ್ಳುವ ಪ್ರಯತ್ನದಲ್ಲಿದ್ದಾರೆ. ಇದರ ಜೊತೆಗೆ ಸೆಕ್ರೆಟರಿಗಳಿಗೆ ಮತ್ತು ಸದಸ್ಯರಿಗೆ ಗೌರವ ಸಂಭಾವನೆಯನ್ನು ಕೊಡತಕ್ಕದ್ದು ಅಷ್ಟು ಸೂಕ್ತವಲ್ಲ. ಸಾಮಾನ್ಯವಾಗಿ ಈಗಿನ ಕಾಲದಲ್ಲಿಯೂ ಹಳ್ಳಿಗಳಲ್ಲಿ ಅವಿದ್ಯಾವಂತರೇ ಜಾಸ್ತಿ. ಅವರ ದುಡ್ಡಿನಿಂದ ಸೆಕ್ರೆಟರಿಯಾದವರು ಮೀಡಿಂಗ್ ದಿವಸ ಟೀ ಕೊಡಿಸಿದರೆ ನಮ್ಮ ಸೆಕ್ರೆಟರಿಗಳು ಕಾಫಿ ತಿಂಡಿ ಕೊಡಿಸಿದರು ಎಂದು ಹೊಗಳುವ ಸಂಭವವಿರುತ್ತದೆ. ಆದುದರಿಂದ ಭಾವುದೋ ಕಾಲದಿಂದ ಬಂದಿರತಕ್ಕ ಈ ಕೊಡುಗೆಯ ಪದ್ಧತಿಯನ್ನು ಪ್ರಜಾನಕರ್ಕಾರದ ಮಂತ್ರಿಗಳಾದರೂ ಕೂಡ ಇನ್ನು ಮುಂದೆ ತಪ್ಪಿಸುತ್ತಾರೆಂದು ನಂಬಿ ಮಾನ್ಯ ಮಿತ್ರರು ತಿದ್ದುಪಡಿಯನ್ನು ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಅವರನ್ನು ಕೇಳಿಕೊಂಡು ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಸ್ವಾಮಿ, ನನಗೆ ಇದನ್ನು ವಿರೋಧಿಸಬೇಕೆಂಬ ಮನಸ್ಸೂ ಇಲ್ಲ, ಸಮರ್ಥನೆ ಮಾಡಬೇಕೆಂಬ ಮನಸ್ಸೂ ಇಲ್ಲ. ನನಗಿರುವ ಒಂದು ಸಂಶಯ ನಿವಾರಣೆಯಾದರೆ ಈ ಕ್ಲಾಜ್ ಹೇಗಿದೆಯೋ ಹಾಗೆಯೇ ಇರಲಿ ಎಂದು ಒಪ್ಪಿಕೊಳ್ಳುವುದಕ್ಕೆ ತಯಾರಾಗಿದ್ದೇನೆ. ಪ್ರಾವಿಸೋದಲ್ಲಿ "……a member may be paid such remuneration or allowances……" ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಇದರಲ್ಲಿ a member of the society should be paid ಎನ್ನುವುದು clear ಆಗಿ ಇಲ್ಲ. ಆನರರಿ ಸೆಕ್ರೆಟರಿಗೆ ಏನಾದರೂ ದುಡ್ಡು ಕೊಡದೆಹೋದರೆ ಆ ಸ್ಥಾನದಲ್ಲಿ ಯಾರೂ ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ. Member of society ಎನ್ನುವುದು clear ಆಗಿ ಇಲ್ಲದೆ ಇರುವುದರಿಂದ it has created some confusion. Therefore I request the Minister to clear this doubt. We have no objection to accept this clause and the member Secretary may be paid.

*ಶ್ರೀ ಎ. ಪಿ. ನರಸಿಂಹರೆಡ್ಡಿ (ಬೆಂಗಳೂರು ದಕ್ಷಿಣ).—ಸ್ವಾಮಿ, ಈ ಪ್ರಾವಿಸೋವನ್ನು ಎರಡುಸಲ ಓದಿಕೊಂಡರೆ ಪ್ರಾಯಶಃ ಈಗ ಏನು ಅನುಮಾನಗಳನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ವ್ಯಕ್ತಪಡಿಸುತ್ತಿದ್ದಾರೆಯೋ ಅದಕ್ಕೆ ಅವಕಾಶವಾಗುವುದಿಲ್ಲವೆಂದು ಕಾಣುತ್ತದೆ.

> "Provided that a Member may be paid such remuneration, allowances or honoraria on such scale as may be laid down for any services rendered by him to the co-operative society."

ಅದಕ್ಕೆ ಅನುಸಾರವಾಗಿ ಶ್ರೀ ಸೂರ್ಯನಾರಾಯಣರಾಯರು ಮಂಡಿಸಿರತಕ್ಕ ತಿದ್ದುಪಡಿ ಹೇಗಿದೆ ಎಂದರೆ ಆ ವಿಧವಾದ ಆನರೇರಿಯಂ ಕೊಡಬೇಕಾದ ಸಂದರ್ಭದಲ್ಲಿ ಸೊಸೈಟಿಯ ಡೈರೆಕ್ಟರುಗಳು ತೀರ್ಮಾನ ಮಾಡಿಕೊಡುವ ಮೊದಲು ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರ ಅಪ್ಪಣೆಯಿನ್ನು ಪಡೆಯಬೇಕು ಎಂಬುದಾಗಿದೆ. ಇದರಲ್ಲಿ 'ಸೆಕ್ರೆಟರಿಗಳಿಗೆ ಎಂದು ನಮೂದು ಮಾಡಿ' ಎಂದು ಒಂದು ಸಲಹೆಯನ್ನೂ ಮಾಡಿದರು. ಇನ್ನು ಮುಂದೆ ನಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿಯೂ ಕೂಡ Service co-operatives ಬರುತ್ತವೆ. ಈಗಾಗಲೇ ಅನೇಕ ಸೊಸೈಟಿಗಳಲ್ಲಿ paid secretaries ಇದ್ದಾರೆ. Paid secretaries ಇಟ್ಟುಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದ ಕಡೆಗಳಲ್ಲಿ ಆನರರಿ ಸೆಕ್ರಟರಿಗಳಿದ್ದಾರೆ. ಆ ಸೊಸೈಟಿಗಳು ಹೇಗೆ function ಮಾಡುತ್ತಿವೆ ಎಂದು ಪರಿಶೀಲನೆ ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಇದನ್ನು ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ಮಾನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದ್ದಾರೆ. ಪ್ರಾವಿಸೋದಲ್ಲಿ ಹೇಳತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿಯೂ ಎಲ್ಲ paid secretary ಇದ್ದಾರೆ ಅವರ ಜೊತೆಗೆ ಯಾರಾದರೂ ಒಬ್ಬ ಸದಸ್ಯರು ಹೆಚ್ಚಿನ ಕಾಲವನ್ನು ಅಥವಾ ಪೂರ್ಣ ಕಾಲವನ್ನು ವಿನಿಯೋಗ ಮಾಡಿ ಕೆಲಸ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ ಗೌರವ ಸಂಭಾವನೆ ಕೊಡಬಹುದು, ಎನ್ನುವ ಅವಕಾಶವನ್ನು ಇದರ ಮೂಲಕ ಸರ್ಕಾರದವರು ಕಲ್ಪಿಸಿದ್ದಾರೆ. ಇದನ್ನು indiscriminate ಆಗಿ ಕೊಡುವಂಥ ಪರಿಸ್ಥಿತಿ ಉಂಟಾಗಬಾರದು ಎನ್ನುವ ಉದ್ದೇಶದಿಂದ, ಹೆಚ್ಚು ಕೆಲಸ ಮಾಡತಕ್ಕ ಮನುಷ್ಯನ ವಿಷಯದಲ್ಲಿ ಡೈರೆಕ್ಟೊರೇಟ್ ಕೊಡಬಹುದು ಎಂದು ತೀರ್ಮಾನ

ಮಾಡಿದ ಸಂದರ್ಭದಲ್ಲಿ ಅದು ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರ ಗಮನಕ್ಕೆ ಹೋಗಿ ಅವರು ಅದಕ್ಕೆ ಒಪ್ಪಿಗೆಯನ್ನು ಕೊಡತಕ್ಕದ್ದು ನೂಕ್ಕ, ಇದು ಒಂದು check ಅಷ್ಟೆ ಕಾರಣವೇನೆಂದರೆ. ಶ್ರೀ ಮಲ್ಲಾರಾಧ್ಯರು ಮಾತನಾಡುವಾಗ influencesಗೆ ಅವಕಾಶವಾಗಬಹುದು, ತಮಗೆ ಬೇಕಾದ ಮನುಷ್ಯನಿಗೆ ಕೊಡಲು ಅವಕಾಶವಾಗಬಹುದು, ಎನ್ನುವಂಥ ಅನುಮಾನವನ್ನು ವ್ಯಕ್ತ ಪಡಿಸಿದರು. ಆದರೆ ಯಾರಿಂದಲೂ ಒಂದು ಸೊಸೈಟಿಯಲ್ಲಿ ಸರ್ವವಿಧವಾದ ಸಹಾಯ ಮತ್ತು ಸಹಕಾರಗಳನ್ನು ಕೊಟ್ಟು ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರೆ ಸ್ವಾಭಾವಿಕವಾಗಿ ಇಲಾಖಾಧಿಕಾರಿಗಳು ಹಾಗೂ ಇಲಾಖಾ ಮುಖ್ಯಾಧಿಕಾರಿಗಳ ಗಮನವನ್ನು ಸೆಳೆಯುತ್ತಾರೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಮಾತ್ರ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಅವಕಾಶವನ್ನು ಕೊಡುತ್ತಾರೆ. ಗಣನೀಯವಾದ ಕೆಲಸ ಮಾಡದೆ ಇದ್ದು ಡೈರೆಕ್ಟೋರೇಟ್ ತೀರ್ಮಾನ ಮಾಡಿದರೂ ಅದನ್ನು ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ತಡೆಗಟ್ಟಬಹುದು. ಆ ವಿಧವಾದ ಒಂದು ಚೆಕ್ ಇರಲಿ ಎಂದು ಈ ಪ್ರಾವಿಸೋಗೆ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ಇನ್ನು ಮುಂದೆ ಸರ್ವಿಸ್ಸು ಕೋ-ಆಪರೇಟೀವ್‌ಗಳನ್ನು ಮಾಡಬೇಕೆಂದೂ ಇದೆ. ಇಂತಹ ಸೊಸೈಟಿಗಳು ಯಶಸ್ವಿಯಾಗಿ ಕೆಲಸ ಮಾಡಬೇಕಾಗಿದ್ದರೆ ಆನರೇರಿಯಂಯನ್ನು ಡೈರೆಕ್ಟರುಗಳಿಗೆ ಕೊಡಬೇಕಾಗಿ ಬರುತ್ತದೆ. ಅದಕ್ಕಾಗಿ ಈ ಪ್ರಾವಿಸೋವನ್ನು ಸೇರಿಸಿದ್ದಾರೆ. ಹಾಗೆ ಕೊಡುವಾಗ ರಿಜಿಸ್ಟ್ರಾರ್‌ರವರ ಅನುಮತಿ ಪಡೆಯಬೇಕೆಂದು ಶ್ರೀ ಸೂರ್ಯನಾರಾಯಣರಾಯರು ಇಲ್ಲಿ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ಇಂತಹ ಕಡೆಗಳಲ್ಲಿ ಗೌರವಯುತವಾಗಿ ಸೇವೆ ಮಾಡುವ ಸದಸ್ಯರಿಗೆ ಇದು ಅವಮಾನಕರವಾಗುತ್ತದೆ ಎನ್ನುವ ಮಾತನ್ನು ಈಗಾಗಲೇ ಒಬ್ಬರು ಸ್ನೇಹಿತರು ವ್ಯಕ್ತ ಪಡಿಸಿದರು. ಅಂತಹುದಕ್ಕೇನೂ ಅವಕಾಶವಿಲ್ಲ ಎಂದು ಬಹಳ ವಿನಯದಿಂದ ತಮ್ಮ ಮುಂದೆ ಅರಿಕೆ ಮಾಡುತ್ತಿದ್ದೇನೆ. ಅವರು ಸಾಧ್ಯವಾದಷ್ಟು ಹೆಚ್ಚಿನ ಕಾಲವನ್ನು ವಿನಿಯೋಗ ಮಾಡಿ ಕೆಲಸ ಮಾಡುವಾಗ ಅವರಿಗೆ ಸಹಾಯವನ್ನು ಕೊಡುವುದಕ್ಕೆ ರಿಜಿಸ್ಟ್ರಾರ್‌ರವರ ಅನುಮತಿ ಪಡೆದು ಕೊಡಬೇಕೆಂದು ಇಲ್ಲಿ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿರುವುದು ಪರಸ್ಪರವಾಗಿ ಅನುಕೂಲಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂನ್ಯಕರ ಮುಂದೆ ಸರ್ವಿಸ್ ಕೋ-ಆಪರೇಟಿವ್ ಎಂದು ಬೇರೆ ತರ ಬೇಕೆಂದಿದೆ. ಅದನ್ನು ಯಶಸ್ವಿಯಾಗಿ ಮಾಡುವುದಕ್ಕೆ ಇದು ಅವಶ್ಯಕ. ಆದುದರಿಂದ ಮಾನ್ಯ ಸಭೆಯವರು ಇದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri MALI MARIAPPA.—So far as the society profits are concerned, there will not be much trouble. There will be some societies which will in the initial stage, or in spite of their good efforts, will have sustained losses. It is only in such cases, this clause will be very helpful. Of course, the activities of the co-operative societies are on the increase. The non-official elements will also have to spend a good portion of their time and energy to supervise over the operations of these societies. And so, in such cases, a kind of honorarium is called for. It has been in vogue from a very long time also. For example, members who have contacted old Mysore societies, know that the Honorary Secretaries get a kind of honorarium at the end of every year, and of course, it will be a very small sum.

Sometimes in Sales Societies, what happens is, some members will be deputed for certain works by a special resolution of the Board. In such cases, their travelling expenses and other reasonable incidental charges will have to be met. In such cases, if net profits are not available, there must be a provision; otherwise we cannot meet their legitimate bills. It is only to provide for such cases, this provision has been included in the Bill. The doubt expressed by my learned friend Narasimha Reddy can also be covered by the bye-laws which are to be approved by the Registrar of Co-operative Societies. The Registrar will exercise sufficient supervision over the societies. And what Sri Narasimha Reddy contemplates is also provided for in the said bye-laws. So, I request Sri Suryanarayana Rao not to press his amendment

Sri K. S. SURYANARAYANA RAO.—Sir, I beg to withdraw my amendment with the leave of the House.

The amendment was, by leave, withdrawn.

Sri G. VENKATAI GOWDA.—I am pressing my amendment.

Mr. DEPUTY SPEAKER.—The question is:

"The proviso to Clause 56 shall be deleted".

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 56 stands part of the Bill."

The motion was adopted.

Clause 56 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 57.

Sri K. KENCHAPPA.—I do not press my amendment to clause 57, Sir.

Mr. DEPUTY SPEAKER.—The question is:

"That Clauses 57 to 59 stand part of the Bill."

The motion was adopted.

Clauses 57 to 59 were added to the Bill.

Mr. DEPUTY SPEAKER:—Clause 60.

Sri K. KENCHAPPA.—Sir, I beg to move:

'1. For the the existing sub-clause (1), the following shall be substituted, namely:

"With the general or special sanction of the Registrar a Co-operative Society may make loan to another Co-operative Society.

2. In sub-clause (2), the words "Notwithstanding anything contained in sub-section (1)" shall be deleted.'

Mr. DEPUTY SPEAKER.—Motion moved:

'For the existing sub-clause (1), the following shall be substituted namely:—

"With the general or special sanction of the Registrar a Co-operative Society may make loan to another Co-operative Society.

2. In sub clause (2), the words "Notwithstanding anything contained in sub-section (1)" shall be deleted.'

Sri K. KENCHAPPA.—The intention in moving this amendment is this, Sir. According to caluse 60, a negative provision is made in order to exclude the non-member from the facility of taking a loan from the society; and by deleting that portion, it is sought to make a provision to enable the co-operative society to advance the loan even to the non-members. Sir, that if the original is to be deleted there is no need for these two words "provided that". And in the section "Notwithstanding anything contained in sub-section (1), a co-operative society may make a loan to a depositor on the security of his deposit", the intention of my amendment is that there is no meaning in excluding a person who is not a member from the opportunity of taking a loan from the co-operative society. It may be said there, that a co-operative society is started for the purpose of enabling the member to have the financial assistance when there will be a need. But the fundamental principle of the co-operative society movement is, Sir, that it is not the intention to create the aid of advancing the amount. The advancing amount itself is not an aid, it is only a means and the aid or the goal that is expected to be reached is that there shall be an increase in production in the country by affording an opportunity to the member to take financial assistance. With this object Sir; it is better if thi proviso is deleted and the amendment sought may be accepted.

Sri MALI MARIAPPA.—I am not accepting the amendment, Sir. Here the co-operative societies can extend credit facility of a loan to a depositor also. That is the facility that is given here. I do not know why my learned friend should oppose this. Because while granting such loans, the amount of deposit will be taken into consideration and that will be a security and it is a good lending also. I do not know why my learned friend wants that it should be deleted. It is a good kind of lending also. I am not prepared to accept the amendment, Sir.

Sri K. KENCHAPPA.—I press my amendment, Sir.

Mr. DEPUTY SPEAKER.—The question is:

'For the existing sub-clause (1), the following shall be substituted, namely:—

"With the general or special sanction of the Registrar a Co-operative Society may make loan to another Co-operative Society."

2. In sub clause (2), the words "Notwithstanding anything contained in sub-section (1)" shall be deleted.'

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is :

"That Clauses 60 to 62 stand part of the Bill. "

The motion was adopted.

Clauses 60 to 62 were added to the Bill.

Mr. DEPUTY SPEAKER.–Clause 63.

Sri K. KENCHAPPA.—I beg to move :

'For the existing sub-clause (1) the following sub-clauses shall be substituted, namely :—

"1. The State Government shall establish a special department for auditing the accounts of the Society promptly and efficiently at least once in every year with sufficient staff uncontrolled by the department of Co-operative Societies and the Registrar shall fix the official year of each Society in consultation with the Committee of the Society in such a way as to provide sufficient work in each month for the audit staff.

2. It shall be incumbent on the audit department to complete the auditing and submit their report within one month after the closing of the official year of each society failing which the controlling officer of the audit department shall be liable for action against him as prescribed by rules.

3. The State Government shall cause arrangements to be made for auditing all the unaudited accounts of all the Co-operative Societies in the State within six months from the date of commencement of this Act.

4. The State Government shall take necessary steps for regularising the accounts of Societies immediately on receipt of the audit reports."'

Mr. DEPUTY SPEAKER.—Amendment moved :

'For the existing sub-clause (1), the following sub-clauses shall be substituted namely :—

"1. The State Government shall establish a special department for auditing the accounts of the Society promptly and efficiently at least once in every year with sufficient staff uncontrolled by the department of Co-operative Societies and the Registrar shall fix the official year of each Society in consultation with the Committee of the Society in such a way as to provide sufficient work in each month for the audit staff.

2. It shall be incumbent on the audit department to complete the auditing and submit their report within one month after the closing of the official year of each society failing which the controlling officer of the audit department shall be liable for action against him as prescribed by rules.

3. The State Government shall cause arrangements to be made for auditing all the unaudited accounts of all the Co-operative Societies in the State within six months from the date of commencement of this Act.

4. The State Government shall take necessary steps for regularising the accounts of the Societies immediately on receipt of the audit reports."'

Sri K. KENCHAPPA.—The present position is this : that the audit of the society is not properly carried on and it so happens that in many of the cases, and not in a few cases, the accounts of the society are not audited for the previous year only, but auditing will take place in some cases for the year which has gone about 10 years back. The general body meeting will be held for the present year and the executive committee or the governing body will be selected for the next year. This is going on unchecked for the last so many years. When an enquiry is made in the office, they would simply say that the staff is inadequate. On account of the inadequacy of the staff they are not executing their duty. After all, they are human beings and therefore because they are human beings they say it is not possible for them. Another aspect is there

(SRI K. KENCHAPPA)

is a provision that each year accounts are to be audited. That is all. Supposing auditing staff is sent to a co-operative society for auditing the accounts this year. They will be sent only for a particular period. The period will be prescribed as it is in vogue today and in that period they can not cover the accounts of even half the year and they go back because the period is over. They do not audit the accounts of even one year. The third point is auditing is done by the staff controlled by the Registrar. What kind of audit are they going to do? They audit the accounts according to the directions given by the Registrar's Office or the persons who are managing the affairs or who are in the good books of the Registar's Office or the Registrar's nominee because it is within our experience that the audit is so shabby that it omits to notice irregularities. It is not that it escapes their notice. Intentionally they do not mention them. It becomes apparent from a perusal of the document. Therefore, it is necessary that the Audit Department should not be controlled by the Registrar because the Registrar is the managing authority or the supervising authority and so the audit staff must not be drawn from the Registrar's office. They must be drawn from a different office not controlled by the Registrar and there should be an Audit Department separate from the Registrar's Office. The amendment seeks to make a mandatory provision that the account to be audited must be of the previous year and that accounts must be brought before the General Body meeting with the object of making the retiring Directors to realise the discrepancies noticed, so that they may be in a position to explain why such discrepancies have arisen. To-day audited accounts of ten years back are being placed before the committee to answer and Directors who operated the accounts of that year are no more and so many other committees have been elected and the present committee will not be in a position to explain the defects or the irregularities. Therefore, I submit that it is high time that we should think of proper methods to prevent these irregularities and so the accounts audited should be of the previous year and the accounts should be promptly audited and the auditing of the accounts must be done for the complete year irrespective of the consideration of the period for wihch they are deputed and the irregularities or defects traced in the accounts are to be explained by the retiring Committee Members and with this object in view, the proposition is brought forward and I think the Hon'ble House will accept this proposition.

Sri MALI MARIAPPA.—I oppose the amendment.

Mr. DEPUTY SPEAKER.—The question is:

'For the existing sub-clause (1), the following sub-clauses shall be substituted, namely :—

"1. The State Government shall establish a special department for auditing the accounts of the Society promptly and efficiently at least once in every year with sufficient staff uncontrolled by the department of Co-operative Societies and the Registrar shall fix the official year of each Society in consultation with the Committee of the Society in such a way as to provide sufficient work in each month for the audit staff.

2. It shall be incumbent on the audit department to complete the auditing and submit their report within one month after the closing of the official year of each society failing which the controlling officer of the audit department shall be liable for action against him as prescribed by rules.

3. The State Government shall cause arrangements to be made for auditing all the unaudited accounts of all the Co-operative Societies in the State within six months from the date of commencement of this Act.

4. The State Government shall take necessary steps for regularising the accounts of the Secieties immediately on receipt of the audit reports".'

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 63 stand part of the Bill."

The motion was adopted.

Clause 63 was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clauses 64 to 70, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 64 to 70, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 71.

Sri K. SURYANARAYANA RAO.—Sir, I beg to move the following amendment to clause 71:

'After sub-clause (3), the following sub-clause shall be added, namely:—

"(4) Notwithstanding anything contained in section 70, when any dispute under clause (*a*) or (*b*) of sub-section (1) of the said section is referred for decision to the Registrar, and the Registrar is satisfied on an application by the Society concerned that in the interest of the Society it is necessary for an effective decision of the dispute to implead persons who cannot be made parties to the dispute in proceedings before him, he may permit the society to institute a regular suit in a Civil Court having jurisdiction and the Civil Court shall be competent to entertain such suit."'

Mr. DEPUTY SPEAKER.—Amendment moved:

'After sub-clause (3), the following sub-clause shall be added, namely:—

"(4) Notwithstanding anything contained in section 70, when any dispute under clause (*a*) or (*b*) of sub-section (1) of the said section is referred for decision to the Registrar, and the Registrar is satisfied on an application by the Society concerned that in the interest of the Society it is necessary for an effective decision of the dispute to implead persons who cannot be made parties to the dispute in proceedings before him, he may permit the Society to institute a regular suit in a Civil Court having jurisdiction and the Civil Court shall be competent to entertain such suit".'

Sri MALI MARIAPPA.—I accept this amendment to provide for enforcing cases where complicated questions of law arise.

Mr. DEPUTY SPEAKER.—The question is:

'After sub-clause (3), the following sub-clause shall be added, namely:—

"(4) Notwithstanding anything contained in section 70, when any dispute under clause (*a*) or (*b*) of sub-section (1) of the said section is referred for decision to the Registrar, and the Registrar is satisfied on an application by the Society concerned that in the interest of the Society it is necessary for an effective decision of the dispute, to implead persons who cannot be made parties to the dispute in proceedings before him, he may permit the Society to institute a regular suit in a Civil Court having jurisdiction and the Civil Court shall be competent to entertain such suit".'

The motion was adopted.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 71, as amended, stand part of the Bill."

The motion was adopted.

Clause 71, as amended, was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is:

"That Clauses 72 to 91, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 72 to 91, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 92. The amendment is out of order. The Hon'ble Member may oppose the clause.

Sri G. VENKATAI GOWDA (Palaiyam).—I am opposing the clause. It encroaches on the rights of people available to them under the Civil Procedure Code. You have provided for many clauses under which power of sale is exercised. Supposing any of the conditions is not satisfied before the power of sale is exercised and the sale conducted is irregular. Even then, you have deprived of a person who is otherwise competent to challenge that sale under clause 92. I do not think that could be justified under any circumstances. You prevent a person to challenge the correctness of the sale even if the circumstances required for authorising the sale had not arisen. But you have added a proviso :

> " but any person who has suffered any damage by an unauthorised, improper or irregular exercise of any such power shall have a remedy in damages against the Land Mortgage Bank."

You provide for damages to the extent of Rs. 100 for Rs. 1,000. Is it justifiable ? In these circumstances the Minister concerned will appreciate the motive behind my contention. Of course we have got provision to go to a court and challenge within the time prescribed.

Sri MALI MARIAPPA.—I oppose it for the simple reason that the courts will not give such disproportionate compensation.

Mr. DEPUTY SPEAKER.—The question is :

> " That Clause 92 stand part of the Bill."

The motion was adopted.

Clause 92 was added to the Bill.

Mr. DEPUTY SPEAKER.—Clauses 93 to 98, both inclusive. The question is:

> " That Clauses 93 to 98, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 93 to 98, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 99. There is an amendment by Sri G. Venkatai Gowda.

Sri G. VENKATAI GOWDA.—I move :

> ' That the words " subordinate to him " in line 4 shall be deleted.'.

Mr. DEPUTY SPEAKER.—The question is :

> ' That the words " subordinate to him " in line 4 shall be deleted.'

The motion was negatived.

Mr. DEPUTY SPEAKER.—The question is:

> " That Clauses 99 to 108, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 99 to 108, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 109. There is an amendment by Sri G. Venkatai Gowda.

Sri G. VENKATAI GOWDA.—I move :

> ' That in sub-clause (4) for the word " five " the word " one " shall be substituted.'

Mr. DEPUTY SPEAKER.—The question is :

> ' That in sub-clause (4) for the word " five " the word " one " shall be substituted '.

The motion was adopted.

Mr. DEPUTY SPEAKER.—There is another amendment by Sri K. S. Suryanarayana Rao.

Sri K. S. SURYANARAYANA RAO.—I move :

> ' That in sub-clauses (3) and (4) for the words " five thousand rupees " the words " two thousand rupees " shall be substituted.'
>
> ' That in sub-clause (5), after the words " provisions of " the words, figures and brackets " sub-section (2) of section 16 " shall be inserted.'

Mr. DEPUTY SPEAKER.—The question is :

> ' That in sub-clauses (3) and (4) for the words " five thousand rupees," the words " two thousand rupees " shall be substituted '.

"That in sub-clause (5), after the words "provisions of" the words, figures and brackets "sub-section (2) of section 16" shall be inserted."

The motion was adopted.

Mr. DEPUTY SPEAKER.—The question is:

"That Clause 109 as amended stand part of ths Bill."

The motion was adopted.

Clause 109 as amended was added to the Bill.

Mr. DEPUTY SPEAKER.—Clauses 110 to 132. The question is:

"That Clauses 110 to 132, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 110 to 132, both inclusive, were added to the Bill.

Mr. DEPUTY SPEAKER.—Clause 1, Short Title and Preamble. The question is:

"That Clause 1, the Short Title and the Preamble, stand part of the Bill."

The motion was adopted.

Clause 1, the Short Title and the Preamble were added to the Bill.

Motion to pass.

Sri MALI MARIAPPA.—Sir, I move:

"That the Mysore Co-operative Societies Bill, 1958, as reported by the Joint Select Committee and as amended, be passed."

Mr. DEPUTY SPEAKER.—The question is:

"That the Mysore Co-operative Societies Bill, 1958, as reported by the Joint Select Committee, and as amended, be passed."

The motion was adopted.

Mr. DEPUTY SPEAKER.—The House will now rise for recess and meet after half an hour.

The House adjourned for recess at Five Minutes past Three of the Clock and re-assembled at Thirty-five Minutes past Three of the Clock.

[DR. R. NAGAN GOWDA in the Chair.]

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣ್ಣಸಿದ್ದಪ್ಪ (ತಿಪಟೂರು).—ಈ ನಭೆಯು ನಡೆಯುತ್ತಿರುವಾಗ, ಹಾಗೂ ಬಡ್ಜೆಟ್ ಸೆಷನ್ ನಡೆಯುತ್ತಿರುವಾಗ ಕೂಡ ಹೇಳಿದೆ, ಸದಸ್ಯರ ಹಕ್ಕು ಬಾಧ್ಯತೆಗೆ ಧಕ್ಕೆ ತರುವ ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಮುಖ್ಯಮಂತ್ರಿಗಳು ಇಂದು ಕೊಟ್ಟಿದ್ದಾರೆ. ಏನೆಂದರೆ, ಹಾಸನ ಡಿಸ್ಟ್ರಿಕ್ಟಿನಲ್ಲಿ ಪಾನನಿರೋಧವನ್ನು ಹೊಳೇ ನರಸೀಪುರ ಮತ್ತು ಇತರ ಕೆಲವು ಭಾಗಗಳಿಗೆ introduce ಮಾಡುತ್ತೇವೆಂದು ತಿಳಿಸಿದ್ದಾರೆ.....

Mr. CHAIRMAN (DR. R. NAGAN GOWDA).—It is better that you give notice and bring it before the House tomorrow after the question time.

MYSORE VILLAGE PANCHAYATS AND LOCAL BOARDS BILL, 1959.

(as reported by the Joint Select Committee).

Motion to consider.

Sri T. SUBRAMANYA (Minister for Law, Labour and Local Self-Government).—Sir, I move:

"That the Mysore Village Panchayats and Local Boards Bill, 1959, as reported by the Joint Select Committee, be taken into consideration."

Mr. CHAIRMAN.—Motion moved:

"That the Mysore Village Panchayats and Local Boards Bill, 1959, as reported by the Joint Select Committee, be taken into consideration."

Before we commence, I suggest that if the House agrees we might finish consideration of the Bill today itself.